

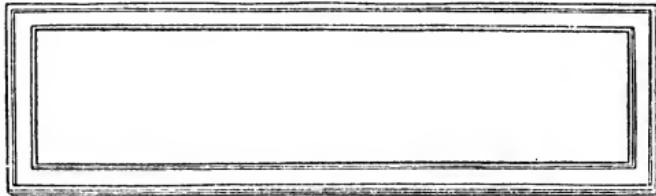
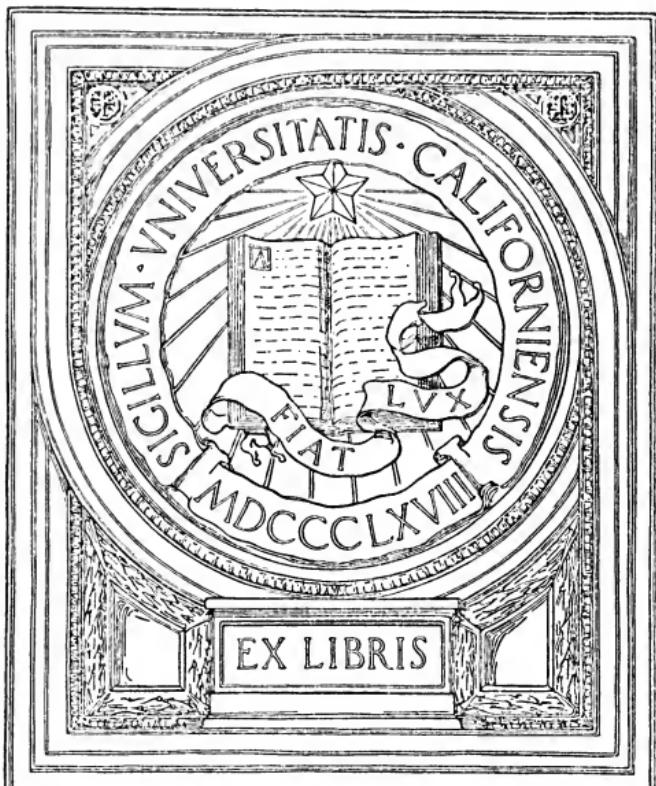
Tracy The BANDIT

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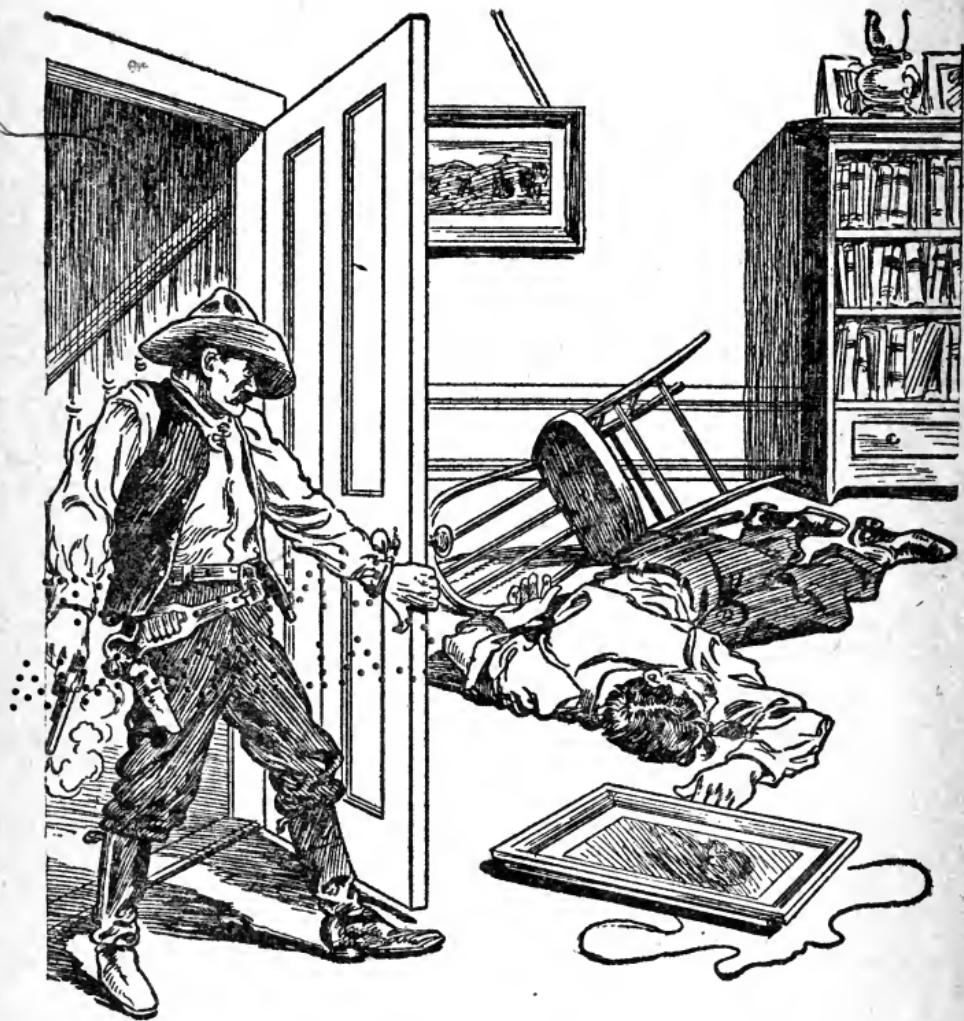


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Hennessy

TRACY, THE BANDIT

OR THE

ROMANTIC LIFE AND CRIMES OF A TWENTIETH
CENTURY DESPERADO.

By CLARENCE E. RAY

ILLUSTRATED

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CONTENTS

CHAPTER	PAGE
I. In Old Missouri.....	7
II. Breakfast with Tramps.....	13
III. Tracy as a Cattle Rustler.....	20
IV. Behind Prison Bars.....	26
V. Trapped by the Mormons.....	31
VI. A Chained Tiger.....	35
VII. What a Woman Dares.....	42
VIII. Evil Associates	47
IX. The Horse Thieves' Rendezvous	52
X. The Battle	57
XI. The "Double Cross"	62
XII. Hunted by Arapahoes.....	68
XIII. A Water Rat.....	75
XIV. Holding Up an Automobile Party.....	80
XV. Robbing a Bank.....	85
XVI. A Fight for Life.....	93
XVII. Tracy Becomes a Burglar.....	98
XVIII. A Carnival of Crime.....	104
XIX. The Path to Freedom Blazed with Blood..	110

CHAPTER	PAGE
XX. Two Sheriffs Held Up.....	115
XXI. Tracy and Merrill Ambush a Posse.....	119
XXII. "On to Washington".....	125
XXIII. Sheriff Bert Blescher Is Shot.....	134
XXIV. Outwitting a Posse.....	139
XXV. The Death of Merrill.....	144
XXVI. Six Men Held Up.....	149
XXVII. Tracy Against a Posse.....	154
XXVIII. Tracy Again Breaks Through a Cordon of Militia	159
XXIX. The Capture of the Jerrolds.....	164
XXX. Saved Again by a Woman.....	168
XXXI. The Woods Full of Deputies.....	172
XXXII. A Dash for the Wilderness.....	174
XXXIII. Tracy Rides a Bike.....	179
XXXIV. The Outlaw's End.....	182

TRACY, THE BANDIT

CHAPTER I.

IN OLD MISSOURI.

"Its no use, 'Genie, I'm goin' to git out."

"But Harry, if you didn't have anything to do with it what need you care?"

"They'll say I did an' the old man would be the first to give me up. The store was robbed and I know who did it. But they might cut me up before I'd tell."

"Is it for my sake, Harry?" asked the girl gently. The young fellow stared stolidly into the fiery red of the western sky and was silent. The girl threw one bare arm about his neck and kissed him. He caught her to him and when he spoke there was a vicious note in his tone.

"I'd shoot the sheriff and git out of the country to-night if I thought there was any danger that you would be brought into it," he said.

"But you know brother Ben was into it," she said. He made no answer but took her by the arm and led her up the hill towards the fiery glow which proclaimed the recent retirement of the god of day.

He was a tall, well-made fellow, his fine figure showing in symmetrical lines in spite of the ill-made jeans in which he was clothed. There was lithe, strong, young manhood in every inch of the six feet of him.

His face browned by a life spent out of doors, was clean cut, the profile scarcely marked by the moustache that was just springing on his lip. His blue-gray eyes were keen and at times, just now for instance, they shone with a sinister gleam. His head was covered with waving brown hair. Even then he was such a man as women would love and men fear.

As yet there was no heavy crime on Harry Tracy's soul, though he had been very near to crime more than once. He might have looked any man in the face honestly—though perhaps the eye that has looked so often over the sights of a gun and dealt death to one aimed at would even now have no difficulty in looking fearlessly at any man. But the Harry Tracy who has bought infamy at the expense of blood on the Pacific coast is not the same man in soul or feeling as that one who led 'Genie Carter up that hill in the Ozarks, near the Arkansas border of Missouri, that June night eleven years ago.

The girl clung to him fondly. She did not at all mind the fact that in the hollow of his arm there lay a shotgun. She was a daughter of the Ozarks. Born in the mountains, she had spent nearly all her life there. The suggestion of refinement in her tone was an acquisition that came from living for a year with an aunt in Kansas City.

In the flower of her girlhood she was a fit mate for the young man against whom she leaned. Tall, willowy, fair to look at, she was the belle of the country-side and among the rough young fellows of the mountains there were plenty who would be glad of

the chance to do Harry Tracy an injury that would take him from her.

They stopped on the brow of a hill from which the greater elevations of the west could be seen silhouetted against the deepening shadows of the sunset sky.

"I'm off over them mountains," said Tracy.

The girl sank down on the stump of one of the mountain monarchs that had fallen to make a part of the home of the Tracys—the cabin could be seen dimly down in the valley.

"Face it out for my sake, Harry," she said.

"I'm goin' away for your sake, 'Genie,'" he said.

"Tell me about it," she said. He hesitated, then told her:

"You remember when I left you here Tuesday night?" The girl nodded. "Well I went down along by the river road. I had some night lines I wanted to look at. I was layin' on the bank smokin' and must have fallen asleep, for I started up when I heard voices right near.

"There was three men in a skiff pulling hard. I knew all of them. One of them said:

"We better plant the stuff in that pile of brush back of Hoke Gerrish's place."

"Then if there's any row we can set fire to it," said another.

"We were chumps to monkey with the mail," said another; and I knew Holton's store and the post-office had been robbed.

"They went on and I lay there thinkin' about it. You know, 'Genie, I've been a kind of a wild kid and

hain't had much chance and when I heard them fellows talkin' about plantin' the stuff it came to me that it wouldn't do much harm to help myself to some of it." The girl showed no repugnance at the remark.

"Well I waited a couple of hours and then went down to Gerrish's brush pile. I was nosin' around the pile when somebody got up on the other side and pointed a gun at me.

"I guess 'Genie, it's a good thing I didn't have my gun along that night or there might have been blood between me and you."

"It was my brother Ben," she said.

"It was, and he allowed I better git out and hit the pike. I didn't stop to argue. When I got home I tried to git into the house quiet but I met the old man. It was pretty near daylight and he done some cussin'.

"Yesterday when the word went 'round that they were lookin' for the men that robbed the store Tuesday night the old man allowed that I had better git out if I didn't want to be taken—and I'm going. I'm goin' down and help myself to that plant before I go," he added grimly.

There were tears in the girl's eyes.

"So it was Ben," she said. —"It's a wonder you don't take a shot at him, Harry."

"I thought about that, too," he said quietly. "But there is you and blood is blood, you know."

"No blood could lie between you and me Harry," said the girl with a show of passion that startled the man. "I am going with you."

"Not on you life; why I'm goin' to hike."

"Then I will come, too."

"Will you? Then when I get square and send for you you'll come?"

"Anywhere, at any time. Hear me swear it."

"Don't swear," said Tracy putting his hand over her mouth, "I can do all the swearin' for both of us. If you say you'll come, you will."

"Anywhere, in sickness, or health, prosperity or in prison, send for me and I'll come to you."

Tracy knelt beside her and kissed her passionately.

"It may be the makin' of me to git away from this life," he said. "We'll be better off away from this crowd." She hid her face in his neck and wept. Presently, with a sharp movement the man bent down and picked up the gun that lay beside him. She started and peered into the gloom with him.

"That's Ben Nolts, the sheriff's deputy. I guess this is where I start my hike. Good by, dear. If I send for you and you don't come I'll come for you." There was that sinister look on his face again as he touched his gun. The girl was not moved by the threat. She was a race which does not condemn a man for revenging the infidelities of their women.

"Good-by," she whispered. There was a clinging embrace and the young fellow disappeared amongst the trees.

The girl sat motionless, listening to the hoofbeats of the deputy sheriff's horse. Suddenly there came a crashing sound from the depths of the timber.

"Halt!" The deputy reined up his horse and pointed

a rifle in the direction of the noise made by Tracy in stumbling over a broken bough. "Come out yere Tracy, or I'll fire."

"For God's sake don't shoot," shrieked 'Genie.

"Huh," said the man; "so it is Tracy." He threw up his gun to fire when a shot rang out and Ben Nolts fell off his horse with a load of buckshot in his side.

Harry Tracy had winged his first man and was a fugitive with the price of blood on his head.



CHAPTER II.

BREAKFAST WITH TRAMPS—A HOLD-UP.

A wayfaring man, gray as to attire and dirty as to hands and face, bent over a camp-fire and poked delicately with a sliver at a big catfish artistically grid-ironed on a number of railroad spikes over a bed of coals.

Another wayfarer, as gray and dirty as his fellow, picked baked potatoes out of the hot ashes with a hooked stick. Now and then he peered into a steaming black pot which emitted an odor of coffee.

“How’s de spuds, Mike?” asked he of the catfish.

“Fit fer de face of any gent in de land,” said Mike. “How erbout de fish?”

“It ’ud bring eight dollars dis minute at de Waldorf,” rejoined the other. “Let’s git busy.”

The tramps were breakfasting or about to breakfast under a railroad bridge spanning the mighty flood of the Missouri, the “Big Muddy” rolling its turbulent waters within a dozen paces of the tramps’ camping place.

It was early morning. The sun was high enough to have taken up the dew, the meadows, through which the great river makes its way north of Kansas City, made an emerald border for the torrent of the river. A growth of timber protected the hoboes’ camp from

the too boisterous wind which ruffled the waters of the river.

"Serve de fish, Willie," said Mike, and Willie skillfully removed the big catfish to a layer of fresh grass.

"I guess dis is punk," remarked Willie, sarcastically, as he separated a section of the fish.

"Well, you drop it!"

The tramps started up in affright at the tone rather than because of the words. They were uttered by a young fellow who might have been one of their own kind, but for the fact that he was erect and his manner commanding. And he held in a threatening way a shotgun that looked ugly.

"Don't shoot, boss," shouted the tramps in unison. And they fell on their knees.

"Go over and sit by the river till I finish my breakfast," commanded the newcomer. The celerity with which the wayfarers obeyed left no room for complaint. The man with the shotgun sat down with his weapon across his knees and ate ravenously of the fish and potatoes.

"I don't want to hurt you fellows," he said presently, "but I have found lately that the way to get a thing that you want badly is to take it." The assurance really put courage into the tramps.

"If I had sump'n to put in my face I'd kinder like de idea of bein' stuck up," said Mike.

"If I wasn't quite so flat I'd swell up meself," said Willie.

"It's funny," said the man who had been eating

voraciously. "I guess you fellows might as well cut in."

They waited for no further invitation but helped themselves to the fish and potatoes, and conversation was suspended until there was nothing left of the feast but skin and bones.

"Now will you fellows tell me where we are?" asked the uninvited guest, stretching himself out on the grass.

"If I had your nerve," said Willie, "I'd t'ink I wuz in paradise now."

"Never mind my nerve but tell me where I am," said the other.

"Well accordin' ter my mileage book dis spot is principally about eleven miles from K. C."

"From where?"

"W'y K. C.—Kansas City."

"Down river?"

"Yep."

"What's above here?"

"Well, deres St. Joe an' furder up deres Bismark an' way up deres Montana." The man with the gun suspected no jocularity in the reply.

"How far do you think it is to Montana?" he asked.

"'Bout four t'ousand miles, I should say. Goin' ter make de trip?"

Tracy, it was he, gazed thoughtfully away across the river. For a month he had skulked through the woods at night. He had lived on the growing corn in the fields and had not scrupled to rob hen roosts. He had been shunned by travelers and had in turn shunned

men and towns. In a paper he picked up he saw a description of himself and that there was a reward offered for his capture. He was charged with robbing a postoffice and shooting to kill an officer. He had committed no violence but he had kept the shotgun and had made up his mind that he would not be taken.

Montana,—that was the place. If he could but get to Montana!

"You fellows goin' to Kansas City?" inquired Tracy.

"Not me," said Mike. "A fren' of mine down dere insisted on me goin' ter der country yesterday an' I ducked. All Y' makin' a gate way?"

Tracy did not understand the tramps slang but the manner of his question conveyed its meaning.

"I'm goin' to get some other clothes and another kind of gun," he said.

The tramps looked at each other. Then one nodded, "Tell him, Willie," he said.

"Ar'y' game to go an' get some glad rags if I puts youse next?" he asked.

"I don't think you're very game yourself," said Tracy, laughing. "But what is it?"

"Well las' night we runs across a camp dat a lot of swells has got up 'round de nex' bend in de river. Dere's four of dem an' dey got two tents an' a launch an' nuttin' but clo's an grub." Tracy's eyes closed to a slit. He thought a moment then said:

"Can either of you run a launch?"

"I used ter fire on a boat," said Mike.

"Till yer got fired off de boat, eh?" said Willie.

"Come on then," said Tracy, standing up.

"What's doin'?" asked Mike.

"I'm goin' up and capture that camp," said Tracy, "and if you fellows want some clothes and a sail up the Missouri you can come along." The tramps got up and followed him without a word.

The "swells" had just breakfasted. They had struck their tents and the canvas was stowed in a handsome launch that lay at anchor a few yards out in the stream. There were three young fellows and an elderly man in the party. They were smoking and discussing where they should make their next stop when a man strode out of the timber and threw a shotgun up to his shoulder:

"Throw up your hands," he commanded. The elderly man threw up his hands, the others hesitated until the order was repeated, and in such a tone that they nearly dislocated their shoulders obeying it.

"Now take off your clothes and hand them to these two gentlemen," indicating the two grinning tramps standing behind him.

"You know there is no chance of your getting away if you rob in this way," said the elderly man. "I am willing to give up some money."

"Well I may take that, too," said Tracy, "but what I need most is clothes and yachts, hurry."

Even at that time there was an air of the desperado about him that made it clear to the men that argument would be vain and might provoke the bandit to violence. The campers wore yachting trousers and fancy silk skirts. The tramps grinned with enjoy-

ment—for which they afterwards paid dearly—as they helped the men strip to their underwear.

Tracy stood on an eminence overlooking the camp, which was in a hollow. When the men were disrobed he ordered them to stand up in a line, and backed down to the water's edge with the tramps.

"You don't intend to take the boat?" said the elderly man. The others were still paralyzed under shotgun influence.

"Don't I?" said Tracy. "Well you watch me. I may send it back some day." He backed into the water and stood guard over the protesting victims of the outrage while the tramps clambered into the boat. It was a naphtha launch and was ready to start in a minute. Tracy climbed over the side.

"Now get out of here," he ordered. He cut the anchor rope and the boat fell off down stream. The tramps knew enough about machinery but they presently found that they could make no headway against the current. Tracy had not thought of this. His idea had been to run the boat up the river. He acted at once with that decision which afterwards got him out of many tight places.

"Let's go down stream, then," he said.

An hour later he ran the launch ashore on the Kansas side of the river at Kansas City. The tramps had found a jug of whiskey and were stupidly drunk, already. They had dressed themselves in the white trousers and fancy shirts, taken from the victims of the robbery. Tracy, with the cunning of the criminal who has an eye to escape, searched the lockers of the

boat and found a blue flannel suit that fitted him fairly well. In the pockets of the clothing taken from the campers there were found four watches and near two hundred dollars. This had been divided between the three of them.

"It's no use wasting money on hoboes like these," said Tracy, and he robbed the other robbers.

Two hours later Tracy got off a train that stopped at a little station on the Kansas prairie. He walked north three miles and got board for a week at a farm house owned by a deaf widower named Wallin.

About the time he was arranging for his board the tramps were arrested, weeping drunk, and they never saw Tracy again, being compelled to serve a sentence in the penitentiary for robbery from the person and stealing a boat.

CHAPTER III.

TRACY AS A CATTLE RUSTLER.

Nature in a wild mood, laid out that tremendous expanse of rough territory, which is generally described by Western men as the "Foothills of the Rockies."

Mountain fastnesses, in which armies might be hidden, open onto beautiful valleys, filled with lush pasturage. Thousands of head of sleek cattle browse on the unlimited range in these rich valleys, which extend for a thousand miles on the Wyoming grazing country and well up into the British possessions.

This territory was, a few years ago, the paradise of the cattle rustler. Knowing that it was impossible for the ranchman to control easily the wandering of their countless herds, horse thieves, who had found the confines of civilization too hot for them; cowboys, compelled by crime or licentious lives to forsake the cattle outfits doing a legitimate business; the skum of the mining camps, soldiers of fortune enlisted in the armies of adversity—such men as these formed themselves into small bands for the purpose of preying on the unprotected herds.

Having their retreats in the mountain fastnesses, they would swoop down on a herd at night and "cut out" as many head of cattle as the extent of their outfit would permit, drive them into the upper valleys,

where they were practically immune from pursuit, there brand the cattle over again and find a market for them as opportunity presented, or herd them across the international boundary.

In the summer of 1895, Harry Tracy beaten about by fortune, found himself a member of one of these lawless bands in southwestern Montana.

Two years had passed since the time of the first exploit on the banks of the Missouri river. There is no record of his movements during this time. He appears to have drifted readily into that mode of life to which his vicious and daring nature best fitted him.

Consorting with thieves at Omaha, fleeing before the approach of officers of the law, finding his companionship among cheap gamblers and grafters—that class of men which finds means to subsist on, taking the fewest possible chances with the law, in the small towns of the frontier.

That he had developed criminal instincts in a marked degree is demonstrated by the fragmentary stories told of his career at that time. It is known that while he was dealing stud poker at Billings, Mont., in the fall of '93 he took offense at an accusation aimed at him by one of the players and deliberately shot the man through the eye. His gambling companions helped him to escape punishment for this offense, but the pursuit drove him to the cattle rustlers' country.

There the men he met with were, like himself, fugitives from justice. They recognized in him a congenial spirit. His fine physique, daring bravado, utter recklessness in the face of danger and ready wit

made him in a few months a leader in the notorious John Shortall's band.

There were several men in the Shortall gang and Tracy soon found that Shortall was merely the leader by reason of his seniority in crime.

The band had its headquarters a few miles north of the Shoshone Indian reservation, to which the gang was in the habit of resorting when pursued by the cattle men's organizations. Shortall had Indian blood in his veins and this, together with his familiarity with the Shoshone patois made him a valuable member of the band.

On one of their numerous excursions into the reservation Shortall had taken to himself a wife, in the daughter of a minor chief. The girl was good to look at and in that country, where femininity is rare, was reckoned as a beauty.

His later career shows that Tracy never altogether forgot 'Genie Carter, but it is certain that when the young wife of Shortall made him a favorite among her admirers, he made no strenuous objections.

The event which led to Tracy being driven out of the cattle country, took place one night when the stores of the outfit had been recently replenished with bad whiskey from some post trader's magazine. The band was at the home rendezvous at the end of a little valley in the mountains. It was a clear and beautiful night, the lambent beams of the full moon, lighting up the beautiful landscape and showing nature in serene repose.

The loveliness of the night was lost on the imbruted men who, given over to a wild debauch, such as is only possible to these wild natures without the trammels of civilization, made night hideous with shrieking and cursing.

Shortall led the rest in drunkenness. Tracy, always self-contained, did not unbridle his appetite for drink.

He was comparatively sober when he met Shortall's wife at the end of the corral. His horse stood there, saddled and bridled; his rifle leaned against the corral fence. About his waist were strapped the two revolvers which he never permitted himself to become separated from even at that early day in his career.

Whether the woman intended to elope with Tracy was never known. They were talking quietly enough, when Shortall, with a wild scream of Indian rage dashed around the corner of the corral and found them together.

Both men reached for their weapons at once, but Tracy's revolver spoke first. Shortall was ten paces away but the bullet from the Colt's found its billet fairly between the gleaming eyes of the quarter breed.

The scream of rage died on his lips. The man threw up his arms, turned half around and fell on his face in the corral litter. Even as Tracy shot, two other men of the band, old companions of Shortall, came around the end of the corral.

There was no hesitation in Tracy's action. Even while the smoke from his pistol still hung in the air he threw himself into the saddle, reached down and caught up the woman, who clung to him madly. As

he dug the spurs into the horse the drunken rustlers saw the body of their leader and opened fire on the fleeing man and woman, but their bullets went wide.

When not more than a mile away, the horse, staggering under its double burden, slipped and fell. When Tracy tried to force the brute to its feet the animal screamed with pain.

"Curse it," said the rustler, "now there must be a fight."

Already the sounds of pursuit were audible, and two mounted men might be discerned in the moonlight, following the trail the flying couple had taken. Just off the trail a little pile of rocks formed a natural barricade.

To this barricade Tracy led the squaw, and both crouched to await the approach of the pursuers.

Blind with rage and drink the men only halted when they were almost upon the disabled horse.

"They've taken to the hills afoot, I reckon," said one of them.

"Well, we'll follow," said the other. "That cur Tracy is too handy with his gun to be let loose with a squaw to steal ammunition for him."

What restrained Tracy from killing them both, as he might have done where they stood, the desperado could never tell, but he did not shoot. The men went on up into the hills.

As soon as the sound of their hoof beats became faint Tracy took the woman by the hand and led her back in the direction of the camp. All was silent there. Overcome by the potent liquor they had been

indulging in, the other members of the band had lapsed into drunken stupor. Shortall's body lay where he had fallen.

Tracy stepped over the dead man, vaulted the corral fence, and in a few minutes led forth two horses, saddled and bridled. The rifle he had left leaning against the corral he picked up and the oddly assorted couple, turning their horses to the south, made off in the direction of the reservation.

The time consumed in getting the horse proved fatal for one of the escaping pair. The men who had gone into the hills looking for them, returning through a narrow defile, suddenly turned a spur in the hill and found themselves within a dozen paces of Tracy and the woman.

The three shots that rang out were almost simultaneous. The woman threw up her hands, screamed, and fell heavily from her horse. Even before he heard the thud of her body striking the earth Tracy was busy with a revolver in each hand. One of his opponents swayed in his saddle and fell on his horse's neck. The other turned tail and dashed up the defile, from which the two had emerged.

Tracy waited a moment, reloaded his guns, looked carelessly at the prone form of the dead woman, then rode away to the south at a hand gallop.

His career as a cattle rustler was closed.

CHAPTER IV.

BEHIND PRISON BARS—'GENIE CARTER.'

Tracy appeared in Cripple Creek several months after this flight from Montana. He was known as Harry Ward. There was in his appearance no indication of the frontier cow rustler who had killed Shortall.

He was a well-appearing, quiet, unassuming fellow, such as may be seen in groups hanging about the gambling rooms of mining towns.

Cripple Creek had not yet worn off the rough edges which chafed tender-feet when it was the greatest mining camp on earth. Cheap, unpainted lumber shacks stood cheek by jowl beside handsome business blocks. The streets were filled night and day with a motley crowd, assembled from all parts of the earth, all intent upon the pursuit of the dollar—and most of them not caring much how they got it. In those days there were no questions asked about previous records in case the owner of the record appeared to behave himself within the lines of those canons laid down for the policing of the camp.

Tracy was no more noticed than any other of the members of what appeared to be his profession. Ostensibly he was a gambler. He had all the qualities necessary to preside at a roulette wheel, a chuck-a-luck board or a hazard table. There was a gleam in

his eye that warned the disputatious worshipper at the shrine of Fortune who was inclined to argue that he had won a bet after the dealer declared that he had lost.

After the fashion of his profession, Tracy, or Ward, as he was known, was in the habit of wooing the fickle goddess himself at times, and he did not scruple to use any advantage known to the trade in the pursuit of fortune; "suckers" being plenty, he generally had money, and his clothes were made in Denver.

It is still remembered of him that he was regarded as a man who might take a desperate chance but who would not go out of his way to seek a quarrel. He might even have drifted into the manner of life of the short-card gambler, who is satisfied with his advantage and not worried by moral scruples.

But the fate that led him on to his ultimate destiny and branded his name with the infamy of atrocious crime did not let him rest. And the machinery of fate took its usual form—the woman in the case appeared.

What correspondence, if any, Tracy had maintained with the girl to whom he said farewell near the old home in the Ozarks, when his soul was yet unstained with crime, does not appear. But one day he appeared on the street with a girl whose fresh beauty would have appealed to men less accustomed to female loveliness than the denizens of Cripple Creek in that day.

She was tall and fair without the insipidity of the blonde. She was dressed modestly, but in good taste, and carried herself with an air of distinction that

must have come rather from her free life in the mountains and intuitive good taste than from any training she had enjoyed. What the manner of 'Genie Carter's life had been from the time she disappeared from her mountain home, a few months after Harry Tracy left, cannot be told. But there was that about the girl which made her quite safe, generally, from the comment's of Tracy's friends. Perhaps, too, Tracy's friends knew him well enough to refrain from comment of any sort.

Mrs. Ward, as she was known, kept aloof from the only society in which she might have moved. The girl was a great deal alone, but was rarely seen in public without Tracy. Had the couple observed that rule of always going out together the end of Tracy's career might not have been written in blood.

But there came a night when 'Genie ventured into the street alone. While she was passing through a crowd of men, one, a low-browed fellow with hair oiled and moustache dyed, who posed as a "bad man," had the temerity to make a light remark. The girl looked at him disdainfully, and was about to pass on when he stepped up beside her and said something.

'Genie slapped his face. The man, astonished by the stinging blow and enraged by the jeers of the crowd slunk into a saloon. Three hours later he stood at the bar, telling what he proposed to do to that "Dude," Harry Ward. The fellow had acquired a reputation for being quick to shoot. He had been a deputy marshal in Leadville in the early days, and it was known that there were notches on his gun.

An associate of Tracy looked him up and told him to keep out of the way of Luke Theron if he wanted to avoid a fight. Tracy inquired the animus of Theron's threats and was told the story of how the man had his face slapped.

Tracy walked directly over to the Senate saloon, where Theron was still voicing his threats, walked up to the man, who did not observe his approach, laid his hand on his shoulder and said:

"Theron, if you're sober enough to go to hell in the morning I'll kill you."

Theron reached for his gun, but bystanders interfered and disarmed him. Tracy turned around and walked out of the place.

The sun was just climbing over the hills that form a wall about Cripple Creek the next morning when Ward appeared, walking nonchalantly down the main thoroughfare. He was directly opposite the Senate saloon when his eye caught the shadow of a man coming out of the doorway.

It was said afterwards that he had been strolling along with his hand on his pistol. In any event his right arm straightened out. There was a report and Luke Theron pitched forward on his face dead, his right hand clutching his weapon. Tracy made no attempt to escape, but surrendered and was locked up in the make-shift jail.

At the preliminary hearing it was shown that Tracy, or Ward had specifically threatened to take Theron's life, and in spite of the evidence given, showing that Theron had first made threats, Tracy was held for

murder. It was openly said at the time that the dead man's friends had exerted their influence to keep Tracy in prison.

For two weeks Tracy was held behind the bars and during every moment of that time, when the rules permitted, 'Genie was with him. On the fourteenth night of his imprisonment Tracy pushed his way through the bars of his cell door. They had been sawn through during the days when 'Genie's skirts hid the cell door from the jailer's eyes. The first the jailer knew of an attempt to escape was when Tracy thrust the muzzle of a gun just behind his ear and said quietly:

"Now you just be good. There isn't anything going to happen to you."

He disarmed the man, fastened his hands behind him with a pair of hand-cuffs, which he took from a hook in the wall, fitted a handy pair of leg-irons on him, slipped a stick of wood in his mouth for a gag and let himself out of the jail.

A few blocks down the steep street stood two horses, held by a slight figure enveloped in a raincoat, the clumsy garment only partly serving to hide the swelling lines of 'Genie Carter's form. As Tracy approached she called:

"Harry."

He strode up and kissed her.

"Good girl," he said.

An instant later the rattle of their horses' hoofs was ringing Harry Tracy's farewell to and defiance of Cripple Creek.

CHAPTER V.

TRAPPED BY THE MORMONS.

'Genie Carter suffered apparently gladly the frightful hardships that became a part of Tracy's desperate methods of life in eluding pursuit after the couple had left Cripple Creek. For months the pair wandered through the mountain defiles, Tracy making his way steadily to the west. The country through which the pair traveled is the most frightfully forbidding on the continent.

For the weeks they wandered aimlessly through canons, following little streams and rivers, climbing mountains, seldom seeing a human habitation or the face of man. The horses were sold before they left the confines of civilization and most of the journey to the Green river country was made on foot. Some touch of the desperation that marked the character of Tracy must have entered into the composition of the girl, for she was never a burden to him, though the hardships they endured must have borne heavily on her.

The man avoided all the traveled routes. Whether he feared the pursuit of the law, or chose rather the companionship of his wife to the certainty of giving her up had they appeared in town, is not clear. It may be that she entered into the spirit that controlled

him, for she appears to have taken a part in certain desperate ventures he engaged in when they arrived in the Green river country.

On the fourth of November of that year a mule train taking provisions and machinery to the Yellow Lode mine was stopped in a narrow pass in the mountains by a man who held the driver and guard at the point of a rifle, while a boyish-looking fellow searched them and the baggage for money. The man was Tracy. The hold up was performed with that reckless indifference to danger and masterfulness, which afterward became so characteristic of the bandit.

He sat on a jutting point of rock within full view of the teamster and guard and waited for the outfit to approach. It did not occur to the men that a robber would so recklessly expose himself and they were within a dozen paces of him, thinking him a harmless wayfarer, when he threw up two revolvers and sung out in a tone that showed he meant business:

“Hold up there; get down and let’s see what you’ve got.”

There was no chance for an argument. Peter Morson, the driver, and Mart Willis, the guard, were men of tried courage. Morson had driven stage coach in the mountains in those days when the command to halt was a rather usual incident of the trip. Willis, the guard, had been Marshall of Hayes City, and had a wide reputation as a man who could shoot quick and straight.

Upon receiving the command to halt Willis in-

stinctively reached for his gun. A revolver bullet shattered his elbow joint.

"Another move like that and I won't wing you. Now leave your guns alone and get down." This in a hard, metallic tone from the robber on the rock. The men jumped down, holding their hands high in the air. Then the slight, boyish-looking fellow stepped out from behind the rock. He was unarmed, a handkerchief concealed the lower part of his features. Stepping up to the men he very deliberately disarmed them, then quite as coolly searched them.

"This is tough on an old-timer, to be frisked by a kid," said Willis.

"That may be pard," said the younger robber in a piping voice, "but ain't I doing a good job?"

"There hain't no kick on the job," rejoined Willis, but I hope to have a chance to frisk you some day."

"I hope not," said the young fellow, and Willis declared afterward that he saw the boy blush.

The smaller bandit, under the direction of the other, and while Tracy kept up a running fire of joking comment, searched the wagon, taking \$1,200 in bills, which had been intended for the pay roll at the Yellow Lode mine, from a pouch beneath the seat. Then, still by Tracy's direction, a side of bacon and some other provisions were taken from the wagon and put into a sack, the mule traces cut, the men tied hand and foot with straps made from the reins and the robbers disappeared down the mountain. Tracy hurling back the jeering remark:

"I hope you fellers won't catch cold tonight."

There is no doubt that the young "fellow" who assisted in the robbery was 'Genie Carter, though five days later, when Tracy walked boldly into Provost, Utah, he was alone. A few weeks later a woman, bronzed by exposure to the weather, made her appearance in Denver. Her clothing suggested primitive methods of dress-making, but was soon replaced by more fashionable garments. She had plenty of money and was later quite fully identified as Mrs. Ward, who had lived for a short time in Cripple Creek.

Tracy's bravado, in showing himself in Provost so soon after the hold up, came very near being his undoing.

Willis, the guard, chagrined beyond measure, at having submitted to a hold up, no sooner had his shattered arm repaired than he betook himself to Provost with a view to drowning his sorrow in drink. In spite of the store clothes that Tracy wore and the clean shave that changed his appearance materially, Willis recognized the robber. Tracy was himself drinking more deeply than was his custom and seems to have been taken unawares, for when a posse, pressed into service by the sheriff, stopped him that night on the street with an order to throw up his hands he was slower than ordinary in reaching his weapon.

Two of the deputies shot at him, and a bullet striking a glancing blow on the head, stunned him. When he came to he was in jail.

The bandit got a short shift at the hands of a Mormon judge and was sentenced to ten years in the penitentiary.

CHAPTER VI.

A CHAINED TIGER.

The rigor of prison discipline very nearly broke the spirit of this man of blood.

Here, for the first time in his life, the man who had hitherto known no master, was subjected to the orders and commands of petty public servitors clothed in a little brief authority, upon whom in the days of freedom he would not have wasted a bullet.

The lion heart of the man rebelled. His first breach of discipline occurred within an hour after the penitentiary's gates clanged behind him.

One of the prison officials approached him and ordered him in a brutal tone to hold up his head, while he hung about his neck the insignia of his dégradation—a plate bearing his prison number, 1313.

As Tracy's eye fell upon the fateful figures, fateful at least from the standpoint of a border gambler, such as he was, Tracy's usually calm expression gave way to one of ferocity. He grabbed the tag from the man's hand, dashed it to the ground and spat upon it.

An instant later he lay unconscious upon the stone floor, striken from behind by clubs in the hands of the guards.

From that time forth he was branded as a dangerous and desperate man and not an official of the institution

but would have visited the most extreme punishment upon him with slight provocation.

This feeling on the part of the officials was enhanced as they gained more knowledge of the ferocious cunning of the man.

“Shoot him in his tracks,” was the order given by the warden, in the event that Tracy should give any evidence of making a break for liberty. Appreciating the character of the man, he was kept much alone by the authorities. Especial precautions were taken to keep him from communicating with other prisoners, as it was feared that his influence might lead to an attempted outbreak.

Two years of this sort of treatment and his constant rebellion against it left Tracy the most feared as he was the most hated man in the prison. And it prepared him for the desperate venture that at last gave him his liberty.

One day, bleeding and torn from a battle with the guards, he was thrust into the dungeon. His temper had overcome him and he had attempted to strike a guard who addressed a brutal epithet to him. It was no new experience for him, this sentence to the dark cells. And the heart of the murderer was bitter beyond anything he had felt before.

It was when his evening portion of bread and water was thrust into the cell that he heard a word that gave him hope for the first time since his incarceration. He heard a guarded “Hist” at the hole in the door of his cell.

Eagerly he bent his head to the door. Someone whispered:

"Behave yourself and get out of this. I have a note for you."

And he lived on that during the ten days of his confinement in darkness. The day he was returned to the light cells, he found this note in the dish containing his food.

"Dear:—Did you think I would forget? I have some hope. Do nothing rash. I have secured a friend who is close to you. Be ready to take your chance when it comes and trust the man who gives you this. Expect a visitor on Thursday next. Destroy this.

"—'Genie.'

It was characteristic of the man that he did not destroy the note. It was found on him when he was arrested years after in Portland, Ore.

The woman who asked to see the desperate No. 1313 the following Thursday was dressed handsomely, but in deepest black. There was little danger that she would be recognized as the desperate young fellow who had helped Tracy to rob the mine wagon.

But she had no chance to do anything more than to encourage him by her looks—the guards were too fearful of their prisoner to give him a chance to secure a weapon from his visitor.

As she bade him goodbye he looked steadily into the woman's eyes and she as steadily into his—and Tracy knew that the day of his liberation was at hand.

On the morning of the third day following the visit of the woman the warden of the penitentiary was

served with a writ of habeas corpus requiring him to produce Harry Tracy in court at Provost.

An error in the indictment upon which the man had been convicted was alleged as the basis for an inquiry by the court.

The papers were served on the warden by a sheriff from Provo.

"I don't propose that you take any chances on taking this man alone," said the warden.

The sheriff, a big man with a reputation for bravery that bordered on hardihood, grinned, produced a pair of leg-irons and hand-cuffs and pushed back his coat far enough to show a pair of guns of formidable size.

"I think they'll hold him for a while," he said.

The warden insisted on sending a guard. Tracy was brought into the warden's office and told that he was to be again taken to court. Forewarned by the interview with 'Genie that something was about to happen the convict made no sign. He put on the cheap gray suit that the sheriff had brought with him.

There was some delay in waiting for a train, and it was night when the prisoner was put into a wagon. He was hand cuffed and as soon as he was seated the sheriff snapped the leg-irons on him. These irons were not taken off and the prisoner hobbled across the platform to the train when they arrived at the station. He was taken into a day coach which was deserted, but for a sleeping drummer at one end.

Immediately after the sheriff and his prisoner boarded the train a man and woman entered the car from a forward coach.

The sheriff seated his prisoner beside the window and sat on the seat beside him. The guard, John Yairo, sat on the seat facing them.

The woman who came in seated herself behind the sheriff, the man behind the guard.

The woman leaned over to the sheriff and said: "Is the poor man insane?"

"No, marm," grinned the sheriff, "but I shouldn't wonder if he was a bit mad."

"A prisoner, I suppose," said the woman looking with interest at the ironed man, who had closed his eyes.

"Yep, an' a tough one."

"Dear me," said the woman, and she shrank back. The sheriff was not averse to a conversation with a pretty woman and she did not repulse him. The prisoner paid no heed. The guard answered a few questions asked by the man who sat behind him. Then the party became quiet and the only sound in the coach was that made by the roaring of the train wheels.

A stop had just been made when the woman looked intently at the man sitting behind the guard. At the same instant the two bent forward but not in a manner to attract attention. The woman rested her hand on the back of the seat in which the sheriff sat, but on the outside. There was a handkerchief in her hand. In the hand of the man, which rested within ten inches of the face of the somnolent guard a handkerchief was clutched.

In a moment a sickly pungent odor reached Tracy's nostrils. His senses were keenly alert since 'Genie—

for it was she—had begun talking to the sheriff and he knew that something was about to happen. He turned his face to the window.

Neither the sheriff nor the guard paid any attention to the odor and made no attempt to throw off their drowsy feeling that crept over them. The handkerchiefs were advanced closer to the faces of the two men, and suddenly their faces were clasped by the hands holding the handkerchiefs.

They were too far gone to resist the fumes of the chloroform contained in the sponges concealed by the handkerchiefs. They became unconscious.

The man behind the guard changed his seat to bring himself into a position facing the sheriff. His long, slender fingers were not three seconds locating the sheriff's keys. In a half minute the ornaments had fallen from Tracy's wrists.

The door opened and the party fell into easy positions as the brakeman shouted "Taraum Junction" in that fashion that is peculiar to some of them. He closed the door. Jack bent over and the irons fell from Tracy's feet.

With the coolness that has always distinguished him the released prisoner picked up the irons and snapped them on the legs of the sheriff. "Jack" clasped the hand-cuffs on the wrists of the unconscious guard. The woman leaned over and kissed Tracy affectionately as the train began to slow up.

"I'll take the rear platform; you get over in front where the brakeman is," said Tracy, with ready wit.

The man and woman went down the aisle to the door that the brakeman threw open.

Under cover of their forms Tracy got up and walked to the rear door. As the man and woman stepped off the platform on to the strip of plank that ran along the front of the little station the train started and a figure dropped lightly from the rear steps.

Harry Tracy was free again.



CHAPTER VII.

WHAT A WOMAN DARES.

"We will go somewhere and begin all over, dear."

"I'll do anything you say. I don't believe there was ever a man who owed so much to a woman and who did so little for her."

"But that trouble at Cripple Creek was all on my account. It might have been avoided if you had not been mixed with those gamblers, or if they had known that we were married at Leadville. Now, Harry, we'll put it all behind us and start life in a new land on the coast." The man kissed her fondly.

"I must get to work," he said.

"That won't be necessary, Harry," she said. "I did not go broke getting that writ of habeas corpus." She laughed.

"You must be rich," he said.

It was at Carson, Nevada, a month after the escape from the Utah sheriff on the train. Harry Tracy and 'Genie had just met again.

After the escape they had separated. The woman going to the east, Tracy and Jack Rawlins, the assistant in the escape, taking to the mountains. They had agreed to meet at Carson as soon as Tracy thought it safe to approach a railroad. Rawlins had left Tracy and gone north, intending to make his way into Mon-

tana. Tracy had chanced death in the Utah desert but had gotten through. He was a week later than 'Genie in reaching Carson but she had waited full of confidence.

She had the confidence of the wife. She knew Tracy's nature and that it was quite possible that he might give her up if he were not dependent on her. She knew that the marriage that he had proposed when she followed him to Cripple Creek was the outcome of a burst of real feeling, such as the man was capable of at times, but it quite satisfied her.

At Carson she had registered at a hotel as Mrs. Warren, and watched every train. This morning he came in. He was well, if not handsomely dressed, his hair had lost the prison style, his moustache and beard were growing. He looked healthy, and the two terrible years in prison had neither bowed his form nor taken the elasticity out of his step.

Under his eyes there were lines that gave his face a harsh appearance at times. His hands were knotted and calloused from the hard labor of the prison.

She was so heartily and soulfully glad to see him she cried over him and caressed him. And he was nearer to an honest, tender affection than he had been since they parted that night—so many ages ago, it seemed—in the Ozarks.

She was handsome, as a happy and pretty woman only can be. She had improved wonderfully with the years and was fit for any society, so far as appearance and manner went.

"Tell me what you've been doing and how you

managed to get me out of that hell-hole." His face darkened as he thought of the prison.

"Well," she said, caressing his roughened hand, "I'll go back to the beginning.

"When I went to Denver as you directed, I thought to find something to do where I could make some money, and as I had a little capital I was looking for a little business. It is hard, how hard no one knows better than I, for a woman without training to find an opening. I have some natural taste in millinery and I found a place that was for sale. I bought it, though it took half of the thousand dollars, and then I sat down and waited for customers—and you.

"The customers came, but no word from you. I watched the papers but saw nothing. If there was anything I didn't recognize you under the name you gave. It was heart-breaking. A thousand times I was on the eve of giving up and going over into Utah, but I knew if you were free you would not be there. I did not dare to hire anybody to inquire for me.

"In the meantime I made a friend. It was a Mrs. Watson, a widow who came as a customer. I pleased her and we became friends. She was rich and had money in mining investments that were making her richer. She induced me to give her what money I had saved. This was almost a year after I left you alone.

"Our salvation came out of Cripple Creek, Harry, for she invested my money in some mine up there and one day told me I was worth \$6,000. Then I decided

that I would look for you. I was certain that you had not been in Denver, for there was a letter at the general delivery, sent regularly every week, and I saw they were always advertised.

"One day my luck came to me. I saw Jack Rawlins on the street. I knew you had helped him out in Cripple Creek. He looked as though he was down on his luck and I trusted him. I was safe enough. He was willing to befriend you, and he needed money.

"He went to Provo and in a week I knew what your awful fate had been.

"It took months to reach you. My letters were sent back to Rawlins, and he was told that such a refractory prisoner as you were had no privileges.

"I made up my mind to try myself. I had made more money than it had cost to provide for Jack's work. There is no use going over all the heart-breaking rebuffs I met with. It seemed that an escape was out of the question. Then I had an inspiration. I knew that if once you could get outside of those walls you could contrive—or we would for you—to keep you out.

"I sent Rawlins to the best lawyer to be found, gave him a big retainer and told him to go into the case.

"He said that in their hurry to get you into the penitentiary they had found you guilty of a crime of greater degree than that for which you were indicted, and he had no doubt that you could be got out on a writ of habeas corpus but that the prospects of your going back were great.

"I sent Rawlins to negotiate with one of your guards, for I wanted to warn you. I got a request from a high official to permit me to see you.

"And now you know the rest."

"You're a wonder, 'Genie,'" he said. "I'll devote my life to repaying you."

"I am repaid now, dear," she said, simply. "And I paid one debt for you. I sent back the money we took from the Yellow Lode wagon. I wanted to get that hold-up off my conscience." She blushed and smiled.



CHAPTER VIII.

RESPECTABILITY—EVIL ASSOCIATES ANOTHER REFORM.

Tracy had here arrived at the turning point of his career. But on his soul there was the stain of blood, and he must have found it hard to avoid the pursuit of conscience—though it does not appear that he was troubled much by scruples.

The movements of the couple after leaving Carson City are not clearly defined. Some few months afterwards Tracy appeared for the first time in Portland, Ore. They had been moving from place to place about the coast in an apparently aimless way.

Tracy was unfitted for any regular respectable occupation, both by early training and the life he had pursued since leaving the paternal home. The transition from the condition of a boy whose moral training had been neglected no less than other schooling which makes a man dependent upon himself and equips him for the battle of life.

Lacking moral courage he had chosen to run away rather than face the accusation which confronted him in Missouri. Naturally embittered he roamed about avoiding pursuit that might have been merely imaginary.

It was a spirit of desperation that nerved him for his first crime when he robbed the campers on the banks



of the Missouri. His easy escape from punishment for that offense prepared him to live by preying on his fellows. It might not be just to say that he deliberately sought a life of crime at that time, but it is very certain that he might have found opportunity to gain an honest livelihood had he the inclination.

Consorting with men whose object in life was to get a living by their wits, if possible, by violence if necessary, he had attained to that state of mind in which the moral sense is entirely lost.

There was no element of cupidity in the acts of violence which he had committed at the expense of human life. Still, he had tasted blood, had been rendered ferociously desperate by the punishment which society meted to him, and this was his condition of mind when he and 'Genie found themselves in a state of comparative affluence, and well able to make an effort to realize her woman's dream of a better life.

They lived upon the border land of respectability, but he had no capacity to turn his undoubted energy to account in a legitimate field. In Portland he was soon seen in company with those men who ask no questions of their fellows and require no vouchers for morality.

He spent his nights largely in gambling. His days in recuperating the energies wasted at the gaming table. 'Genie found herself alone and much neglected, but his obligations to her were apparently lost sight of in the face of the attraction he found among his new associates. As their money began to dwindle 'Genie's complaints against his manner of life and demands that he make good his promise of

reform and occupy himself in some business had some effect and he proposed that they try farming and ranching in the Wyoming mountains.

The woman would have been delighted to spend her life in the wilderness with him and gladly consented that he should go into the new undertaking. They still had some money when they made their way into the mountains again and crossed to Spokane.

The original plan for going into the ranching business was abandoned here under the influence of some associates of Tracy, who told him how money might be made easily in the mining camps along the Kootenai river north of the American boundary.

Shortly afterwards he had a saloon in a camp on boundary creek. The place was filled with a rough class of miners who had plenty of money, an unquenchable thirst and an appetite for gambling. 'Genie was the only woman in the place, and she protested so vigorously against the manner of life to which she was condemned that he sent her to Spokane with a promise to follow her as soon as he could get rid of his saloon.

How well this promise of another reform was kept is shown by the fact that he was driven out of the British possessions by a posse of miners who were desirous of hanging him. His particular offense is not known but it was charged that he was the director of a band of ruffians who held up and looted a barge upon which some returning prospectors were bringing back from the mines on Lake Kootenai the dust they had accumulated.

One night Tracy, who was sleeping in the loft above the saloon, was aroused by the clamors of an angry mob in front of the log structure in which the saloon was located. He called out through a crack, inquiring: "What's the matter with you fellows?"

"Come out and we'll show you," shouted half a dozen men in chorus.

"If you don't get a move on you," returned Tracy, "there'll be some shooting down here."

The reply was a fusillade of shots, the bullets speeding harmlessly, but with vicious notes against the log walls of the shanty. The fire was returned by Tracy and at least one man who was with him and two of the crowd of miners were wounded.

This was one of the rare occasions when the desperado thought discretion to be the better part of valor and while the mob in front conferred as to the best means for dislodging him and his party, Tracy made his escape from the rear and got clear across the boundary.

CHAPTER IX.

THE HORSE THIEVES' RENDEZVOUS.

Tracy's stay in Spokane was very brief. It may have been that he had a wholesome horror of Canadian justice. But whatever the inspiring cause he took a camp equipment, a team of horses and a wagon and started alone with 'Genie to the southeast.

Their journey lay through a frightfully wild country, but some weeks later they reached Lewiston, Idaho. That they had been in sore straits was evidenced by the condition of their horses and 'Genie's state of health. Hardships and the constant wearing on her spirit had broken down her vigor. They did not remain in Lewiston and it was thought by those who afterwards recalled the appearance of the man and woman that they might have been fleeing from some pursuit.

They went over into the Snake river country and there settled upon a ranch that had been abandoned. The place was in a valley and on the north and south a rich farming and grazing country spread out. Tracy was soon followed to the ranch by a number of men who were strangers in the country. Neither 'Genie nor Tracy sought any acquaintance among the settlers in the neighborhood and they and their associates were natural objects of suspicion when it became

evident that an organized band of horse thieves was operating in the country north of Walla Walla.

The farmers and ranchmen organized a vigilance committee to search for the horse thieves and the suspicions of the members of this committee were at once fixed upon the ranch occupied by Tracy and made a rendezvous by his strange visitors.

The vigilance committee sent word to the Tracy farm that it might be to the interest of the occupants to find a fresh field for their endeavors. No notice was taken of this and Tracy constantly appeared in the little towns in the Snake river valley, sometimes alone, again accompanied by Mike Morgan and Sam Wallace, both of whom were reputed horse thieves at that time and who are now serving sentences in the Idaho penitentiary.

Whether alone or in company, Tracy was rarely molested when he appeared in public and he went about with absolute impunity, until the depredations of the gang with which he was associated compelled the farmers and horse owners to act in force. The deserted ranch which they had taken up appears to have been an ideal situation for the headquarters of a gang of horse thieves. It was located at the east end of a long and lonely valley, lying between precipitous hills that were threaded by defiles leading over into Idaho. The house, a long, low log building, was divided into four rooms, its rear end resting against an overhanging wall of rock that was altogether inaccessible.

The house was surrounded by a sort of stockade,

which had been build for a corral, and out of this led a path through a ravine running down to the Snake river. The place could only be approached from in front.

Stolen horses had been clearly traced to the rendezvous and their owners in following them had occasionally caught a glimpse of a woman about the house. On the fourth of September, 1896, the vigilance committee came to the conclusion that it was time to find out just what was hidden behind the stockade surrounding the Tracy house—though it is possible that Morgan and Wallace might have been more properly regarded as occupants of the place. If they did occupy it first, certain it is that Tracy asserted the rights of leadership soon after his arrival.

It was near noon when four men rode up the valley and stopped at the barred entrance to the corral. James McEwen, who was at the head of the group of horsemen, called out to the people in the house. There was no person in sight, but a dozen horses were gathered in one corner of the yard.

In response to McEwen's shout, a man—Wallace—appeared on the door step and asked what was wanted.

"We'd like to have a look at that bunch of horses," said McEwen.

"Well, if you think you can jump that fence and get away again, you're welcome to have a look," said Wallace, "but I'd advise you to keep off my place."

For answer McEwen dismounted and proceeded to take down the corral bars. Wallace stepped back into

he house and presently reappeared with a rifle in his hand. He pointed the gun at McEwen and said:

"If you fellows are out of shooting distance in two minutes you won't get hurt. Now get."

Behind him could be seen the forms of two men and a woman, who appeared to be pleading with them.

McEwen and his companions had no arms but revolvers and one shot gun. They made no parley, but McEwen, jumping on his horse, led the way down the valley.

Wallace, in recounting what took place that day and night, said that Tracy's wife pleaded and begged with them all day to leave the place. Both Wallace and Morgan wanted to take the horses and make a run for it.

"The jig's up," said Morgan. "Those fellows will get a gang and clean us out any way."

Tracy was stubborn and swore a horrible oath that he could kill all the farmers who could crowd into the valley before the house. He repulsed 'Genie rudely when she pleaded with him and told her there was no danger that she would get into trouble at any event.

"She was sick at the time," said Wallace afterwards, "and if I didn't think she'd try to revenge it on me I'd have taken a shot at Tracy myself and made a getaway."

Toward evening the desperado got into a better frame of mind and preparations were made to leave the place that night. Before the preparations were completed, Morgan happened to look down the valley

and saw a party of a dozen mounted men riding up towards the house.

"It's too late now, anyway," said Tracy, and he began to lay cartridges out where they would be handy.

Tracy wanted to take a shot at the approaching band of horsemen before there was any parley, but from this he was dissuaded by his companions, though his rejoinder to their arguments was:

"Lemme take a few shots and there won't be so many of them left for the rag-chewin' match."

McEwen was at the head of the posse. He appears to have been an entirely fearless man, for while his followers dismounted and were protected by the corral fence, he rode straight up to the bars and shouted:

"If you fellows will come out and surrender you'll be treated square and it'll save trouble for somebody."

For answer Tracy pushed the muzzle of his rifle through a window and shot the horse from under him.

CHAPTER X.

THE BATTLE—'GENIE'S DEATH.

When the members of the posse saw McEwen fall with his horse they concluded that their leader had been shot. Eleven rifles and shotguns were thrust through the corral fence and a hail of bullets pattered against the walls of the house, doing no damage, however.

The occupants of the house retired to the second room at the rear and shot from that point of vantage at the men outside. The shots were aimed through the windows and struck harmless against the fence generally. The return fire was quite as ineffectual and was altogether at random, as the members of the posse were generally peaceable farmers not much used to firearms.

Tracy amused himself by picking off the horses. When one threw its head up above the cover of the corral stockade it fell a victim to that unerring aim which rarely failed of hitting a mark.

The men retired with their horses and placed the animals in safety in one of the defiles leading out of the valley.

Then they crawled back and prepared for a siege. There were a number of shots exchanged and two men, Morris and McGrath, of the posse were wounded.

When darkness descended on the scene the valley was quite peaceful and both sides were waiting developments.

The horse thieves were prepared for flight. They were quite aware of the fact that the members of the posse were ignorant of the means of egress from the stockade by the side of the houses and through the hills to the banks of the Snake river.

'Genie, who had been very quiet since the first shot was fired, went about the house, making up bundles of food and clothing. More than once Tracy, whose mood had changed, spoke to her affectionately and offered a caress, to which she submitted without response.

Fortune had favored the outlaws in that when the firing begun the horses had stampeded from the open corral and were grouped in the defile alongside of the house.

It was dark but for the shimmering radiance of a moon which hung too low in the sky to cast much light. There had been no stir in the house. Not a shot had been fired for a half hour, when, of a sudden, the quiet of the night was shattered by a discharge that was so rapid and well sustained that it sounded like a fire of a company of men. The windows of the house blazed with flashes from the guns and pistols of the men within. Then after a few scattering shots from the posse it was still again.

A movement among the horses in the defile attracted the attention of the members of the posse. McEwen suspected that a sortie might be attempted

but he did nothing but warn the men to be on the lookout.

The horse thieves were saddling their horses. When they were saddled Wallace undertook to lead them quietly through the defile; they were to mount when they were on better footing.

Tracy and 'Genie were the last to leave the house.

He was between her and the front of the stockade and they were both well out of range when the horses, which remained unsaddled, became frightened and dashed into the open.

Instantly the men on watch in front fired a volley.

'Genie trembled and became a dead weight on Tracy's arm. A bullet had found its billet in her back, cutting through Harry's clothing and striking her under the left shoulder.

She recovered and threw her arm over Tracy's neck.

"Are you hurt?" he asked.

"I'm afraid so," she said.

"May God forgive me and help me if anything happens to you," said the man.

He picked her up and ran lightly along the defile. After a few yards he stopped and laid her down gently. The savage and revengeful side of his nature overcame in that moment when he was more deeply touched than ever in his life perhaps.

He rushed back into the open and emptied his revolvers in the direction of the men who lay behind the fence. McEwen who had stood up to see what was going on was shot through the left shoulder.

When he went back to 'Genie she was lying very

still. The other two men stood by the horses a few feet away.

"I can't see, Harry," she said.

He picked her up very gently and carried her to the mouth of the defile, where the frowning walls could not altogether shut out the faint light.

"Can you bear to lie in my arms and ride?" he asked.

She smiled and shook her head. He put her on the turf and folded his coat under her head.

Her eyes closed and he thought she was dead.

"'Genie,'" he whispered, kissing her cheek. The chill of it shocked him.

She suddenly looked up at him.

"I know you'll be sorry now," she said. "I mean because I am gone. Kiss me."

He bent over her. She tried to reach his face with her hand but had not the strength. A shudder went through her, the blood gushed from her mouth in a torrent. She was dead.

"You might as well come on," said Wallace after a few minutes; "We can't do any good now." Tracy looked at him for a moment as though he was minded to take his revenge then. But he only replied:

"Leave me a horse and you two get out of here."

And they left him with the dead woman who had given up her life and all that a woman holds dear to him.

Perhaps he wept there alone with the dead. Perhaps he was made the worse man by reason of what happened that night.

It was near morning when he carried her back through the defile and laid her in the empty house. Then he went out and rode away.



CHAPTER XI.

THE "DOUBLE CROSS"—THE DUEL.

If 'Genie in her life had not been able to exert much influence for good over Tracy, her death seems to have removed the last restraint that was imposed upon him.

He was not a man to parade his feelings under any circumstances, and when he appeared in Lewiston with Wallace and Morgan he gave no evidence of the scene he had passed through the night of his wife's death.

He was never much given to drink up to that time, but their arrival in the Idaho town was followed by a debauch that at first amused, then astonished, and finally drove that portion of the population with which they came in contact to desperation.

Lewiston at that time had got past the stage when it was permitted to the rough element from the surrounding country to ride in and shoot "up the town." The horse thieves seem to have been under no apprehension with regard to pursuit. They were all in funds and all proceeded to fill themselves with that sort of liquor which would "soonest bring the drunk"

The second night after their arrival they initiated the exploit that resulted in Tracy being driven out of town and the capture of Wallace and Morgan. An army paymaster, traveling with an escort of two men,

was regaling himself in a saloon, up to which the three men rode just after dark.

The place was one of those peculiar to western towns. It was in one of the row of single story buildings, bunched close together, as though land were not the cheapest commodity in the country. The place might have been one hundred feet deep. Along one side, for forty feet inside the door, ran the bar—a glittering line of crystal and polished wood. The rear end of the room was lined along all three walls by tables, at which those games of chance in which the westerner most rejoices when he is taking his recreation, were being played. When Tracy and his friends entered the place the man of war was discussing his tenth cocktail. He had gotten to that stage when what he most desired, aside from more cocktails, was listeners, and to the end that this want of his might be satisfied he had invited several of the hangers-on about the place, including a couple of "busted" gamblers, to join him. Tracy's companions were boisterous. Tracy himself, gravely drunk.

"Whoop-ee!" shrieked Wallace.

"Whoop!" echoed Morgan.

"You fellows shut up and come have a drink," interposed Tracy. "Give everybody a drink."

The army man remarked that he was buying a drink and wanted to know if the trio wouldn't join him. Tracy, with drunken gravity and politeness, amiably insisted that the pleasure must be his. The man of war, quite as politely and in language quite as fervent,



insisted that the pleasure must be his. Tracy gave way and the paymaster bought the drink.

Tracy and the army officer entered into an amiable conversation. In the course of an hour both were quite mellow. At the expiration of the same period Wallace and Morgan were extremely drunk. They wandered out of the place, forgetting Tracy. He had fallen into a conversation with one of the gamblers who had been drinking with the "Colonel," as they dubbed the officer.

Standing close to Tracy's ear, the gambler said quietly:

"You seem to have him hooked on, all right. Propose a game of pitch and then I'll cut it up with you."

Tracy looked at the man and then nodded silently. Five minutes later they were sitting at a round table in the lower corner of the room and the "Colonel" was dealing in a three-handed game of pitch for "Five dollars a corner and five dollar set ups." Tracy grew steadily sober and the "Colonel" more complacently drunk. In three hours' play the "Colonel" was the loser of \$400 and the party moved back to the bar. The gambler had the money and whispered to Tracy:

"I'll cut it up with you when we get a chance."

Tracy nodded and shortly afterwards went out to help his friend the "Colonel" to a hotel.

Tracy returned alone presently, went to the bar and nodded to "Shang" Warfield, the gambler, who had assisted in the plucking of the "Colonel." Warfield paid no attention to the nod and Tracy walked to where he was standing.

"Isn't it time for you and I to do some business?" the bar-tender heard him say.

"I don't know what you mean," said the gambler.

Tracy's face turned purple with rage and he reached for a weapon, with the remark: "Then I'll show you."

At the same instant Warfield reached for his gun and dodged down behind the end of the bar, near which he was standing. As Tracy drew his weapon he sprang back, then fired through the woodwork of the bar. The shot rang simultaneously with the cry of the bar-keeper: "Heads," and he dodged for cover himself.

The fifty or more men playing at the tables in the rear split checks, cards and layouts in a scramble to get out of range. Tracy had backed very nearly to the door, when Warfield suddenly straightened up and fired five shots as fast as he could pull the trigger, at Tracy, who stood quite unmoved until the other's weapon was empty, when he fired deliberately and shot the gambler through the throat.

It all took place so quickly that there had been no time for a crowd to gather at the door and Tracy walked out unhindered, mounted his horse and Lewiston saw him no more.

When the the city marshal had been quite satisfied that Warfield was killed in a manner which might have been justifiable it occurred to him that it might be as well to look up Tracy's companions.

When Morgan and Wallace recovered from their

lebauch they found themselves in the calaboose, and a couple of days later were identified as the horse thieves who were wanted in the Walla Walla country. There were warrants for horse stealing against them in various parts of Idaho. They were sentenced to terms of ten years each and sent to the penitentiary.



CHAPTER XII.

HUNTED BY ARAPAHOES.

Leaving behind him a trail of crime, made lurid here and there by bloodshed, Tracy made his way during the next year through Idaho, into Oregon and back across Idaho and Wyoming to the Wind river mountains, where he arrived and went into camp with a band of men, hunted and outlawed like himself, in the fall of 1897.

There is little record of this era of his career. No deed of sufficient magnitude nor of impressive violence to gain a place in history is recorded against him. Consorting sometimes with thieves, posing at all times as a gambler, drinking more than at any other period in his life, he led a vagabond existence not unlike that of the other men with whom he associated except that it is not known of him that he worked anywhere at any time.

It was with a company of men, desperate like himself, though differing from the dregs of the border town with which he had been mixed, that he went into camp in the Arapahoe country that fall. There were five in the party. Two had lived in the same locality some two years before and told alluring stories of the easy life they had led and the money that

might be made preying on the riches of the Arapahoes and Shoshones in cattle and horses.

Perhaps the most alluring feature of the country, and that which most appealed to Tracy was the safety that was guaranteed from pursuit by officers of the law. It does not seem that the men had formed a band for horse and cattle thieving purposes, particularly, but while there was no specific agreement it was generally understood that they would not waste their time in case opportunity presented itself for running off horse flesh.

The experience gained during that fall and winter contributed to make Tracy the dead shot that he was at the close of his career with rifle and revolver. He hunted much and it was said of him that he could kill a squirrel at fifty yards by cutting the creature's throat with a rifle bullet. He lived a wild-fire life out of doors, and being deprived of the indulgences of the border towns, he became the perfect physical animal that he remained until the end.

He is described by Samuel W. Allis, of Rawlins, who saw him in the winter of '97-'98, as a fine looking man, apparently well under thirty, though he must have been at least that age.

"When I met Tracy, it was at the Arapahoe agency in the winter of 1898," said Allis. "He was a tall, well proportioned, fresh looking young man of 27 or thereabouts. He and three other men had come down from the north across the reservation with some Indians to get supplies at the trader's store. They seemed to be on excellent terms with the Arapahoes.

"Tracy, who was variously called by that name and Warren, was full of spirits and on one occasion was quite full of strong spirits, but he did not appear in the least quarrelsome. I was astonished at the stories that his companion told of his wild life and the ferocity of his nature, when he was aroused. That he was utterly unscrupulous I was made to see by the manner in which he would fleece the Indians in trading and in taking advantage of their gambling games; but up to that time he had done no harm on the reservation, and it was thought better to leave him and his friends alone than to attempt to drive them off. There was little use attempting to curb the rustlers, leaving that to the Indians themselves."

The "excellent terms" upon which Tracy and his friends stood with the Indians, when Mr. Allis met him, did not continue through the winter.

In the Tracy gang there was a quarter-breed who rejoiced in the odd name, for one having Indian blood, of Ryan. He it was who first taught the Arapahoes the delights of "monte" and they were quite as keen at the game, when they were again introduced to the white man's methods of dealing it by Tracy, as they were when first introduced into its mysteries.

Bucks who had proved their prowess by taking their blankets and ponies from their less sagacious brethren made regular trips across the reservation to wager those same ponies against the whiskey and ammunition of the white man.

They lost so persistently, they drove so many ponies into the corral the rustlers had built by fencing a

ravine with a narrow mouth, and in which there was winter feeding, that they became exasperated. Some of the most enterprising of them made sorties into that portion of the reservation which had been set apart for the Shoshones and brought back more ponies, which they lost in due time.

In the early months of 1898, when their cattle were thin and rations running low, the Arapahoes, or some few of them, made up their mind that what they had lost by gambling they might recover by stealth.

The snow was disappearing from the valleys and the time was ripe for a raid. They knew that the government would hardly interfere with them for taking what was really their own from reservation and cattle rustlers.

The cabin in which Tracy and his friends had spent the winter was built on a side hill overlooking the ravine in which their ponies and cattle were corraled. The house was sheltered, but offered opportunity for a proper lookout. The men knew what might be expected from the Indians and were prepared to strike a trail to the northern grazing lands, where they might find market for their stock as soon as the snow would permit them to move.

One night, early in March—they were prepared to leave next day—Ryan, who was keeping a very wary eye to the south, saw some figures moving about at the mouth of the corral.

He woke up the others and told them the Indians had arrived. He was quite convinced they would not fight when they found that their attempt at a stampede

would be futile. Tracy was for teaching them a lesson.

"There are more of them on the reservation," said Ryan, sententiously. They went out, greeted the Arapahoes as though they supposed they were come on a friendly visit. There were not more than a dozen bucks in the raiding party. They made the best of the situation, accepted the courtesies of the white men in the form of a drink of fire-water apiece and rode away.

They had no sooner disappeared than Tracy and his friends broke camp and started to the northeast. They drove nearly five hundred ponies. The marauders of the previous night, knowing what would probably occur, had gathered a score of their friends. They were on their trail before noon and caught up with them near the Warm Springs mountains.

Tracy and his friends had little hope of saving both themselves and the ponies. Again Tracy was for having a fight with the Arapahoes, he and three others to remain behind for this purpose, while the fifth should drive on with the band of ponies. The plan was agreed to. A Frenchman, named Moreau, was elected to go on with the ponies while the others remained to delay the Indians.

The four men entrenched themselves behind a number of boulders lying along the side of a ravine through which the trail led.

They halted the Indians and there was a brief parley. Nothing would do the Arapahoes but the return of

their stock. Tracy told them that they might get them if they could.

They proposed to take half of the herd of ponies and let the white men go with the remainder. The leader pointed out that if they reported the matter to the military authorities the soldiers would certainly get all the ponies back.

Tracy's temper, or his rashness, cost his party the band of ponies and very nearly cost him his life. He declared the parley over and ordered the Indians back out of the canon.

The Arapahoes scattered for cover at once and Tracy began firing. His companions were compelled to follow suit. The Indians were badly armed but they were numerous and could afford to wait.

Before dark Ryan had been killed and another of the whites wounded. That Tracy had killed more than one of the Indians was quite certain. In the cover of the night the intemperate desperado concluded that it would be suicide to remain there for daylight and Indian reinforcements.

The same cowardly trait of his character which later led him to kill Dave Merrill cropped out that night in the Warm Springs mountains. He sneaked off up the mountain side, leaving the two men, who were still living, without intimating his intention.

The two men were killed the next day, Moreau and the ponies were brought back and the Frenchman turned over to the military authorities charged with having attempted to steal the Indians' ponies. The

Arapahoes quite forgot to look for Tracy until it was too late.

He made his way south by a detour and was seen in Rawlins before the end of March. He declared to Mr. Allis that he proposed going to the coast, and added:

"I hope I will be shot if I ever get away from paved streets again."



CHAPTER XIII.

AT THE GOLDEN GATE—A WATER RAT.

When Tracy vowed that he had had enough of life in the fastnesses of the mountains and plains of the mountain states, he was evidently sincere, for he appeared in San Francisco some time about the first of May, 1898.

That he was in hard luck was plainly shown from his appearance. He had discarded, so far as his apparel was concerned, all outer evidences of the "Wild West" desperado. But in the disappearance of the picturesque from his make-up no improvement in the man was brought about.

When he made his debut in the purlieu of Kearney street he was habited like any one of a thousand of the hangers-on in the saloons and dives of the neighborhood. His broad shoulders were made broader by a close fitting, short, double-breasted coat, trousers that had no acquaintance with the tailor's goose, a round soft hat, tipped well forward over his eyes and a slouching gait, that was characteristic of the kind of companions he immediately fell in with.

He wore a moustache. His skin was dark but clean, his eye bright and keen, but wore habitually the furtive look of the man who is always looking for the unexpected to happen and is making ready for it.

It might have been the death of 'Genie that had brought about this change in his appearance which marked the transit from the desperado of the mountains and plains to the typical loafer, thief and cheap gambler.

He had no particular pal. His appearance indicated that he was not in funds and at that time he lived along from hand to mouth, perhaps prospecting the country. He made a saloon in an alley off Kearney street his principal loafing place and at night he prowled about and undoubtedly secured the means to procure the necessities of life by holding up drunken sailors and other bibulous worthies who roamed about the neighborhood in search of such pleasures as the night side of life in San Francisco afford.

One night Tracy sat in this saloon, which was kept by a man named Olson, waiting for something to turn up. He leaned back against the wall in a chair, his feet gathered under him, his hat drawn over his eyes and about his face were lines which indicated that he had been on a debauch. At the bar stood two men, one of them a rough-looking young fellow, something of Tracy's own class, the other a sailor.

The mariner was under the influence of liquor, and a moment before, when he came into the place, the young fellow with whom he was now engaged in conversation had sung out:

"Strike up the band, here comes a sailor," and the sailor, good humoredly drunk, was rather tickled by the salutation.

"Yes, and if he ain't just off a whaler, he's willin'

to buy a drink." He laughed foolishly and shook hands with the singer. As the latter stood at the bar with him he picked up the sailor's change abstractedly.

"You took my change," said the sailor man.

"That your change?" said the other.

"Yes and you knew it," said the sailor, as quick to propose a fight as he had been to show his amiability. The young fellow protested that he meant no harm. The sailor was insistently pugnacious, and as he applied an epithet to the other the young fellow struck him.

Instantly the sailor, who was a brawny chap, pulled a sheath knife and made a lunge at the other. He, unarmed, backed away, the sailor pursuing him and lunging viciously. Tracy, whose attention had been attracted by the row, was not a man ordinarily to take up another's quarrels, but fate was at work again.

He stood up and in the act reached back and picked up the chair upon which he had been sitting. The sailor man was within handy reach and as the chair crashed down and broke over his head he collapsed and the knife went spinning from his hand.

The young fellow who had been in such imminent danger said to his rescuer rather sheepishly:

"Much obliged, Pal."

Then he turned his attention to the unconscious sailor, who was thrown out of the door and robbed of his money before he had fairly landed in the gutter of the dirty alley outside.

Then the young fellow bought a drink and invited Tracy. He even bought another drink and with the remark:

"You're a kind of a hit with me," he asked the other's name.

"You seem to be all right," said the desperado, "and I don't mind telling you that my name is Tracy."

"Mine's Dave Merrill," said the other, and he shook the hand that was to deal him death in so dastardly a manner.

Tracy and Merrill were seen much together. The younger man had but recently arrived from Portland, Ore., where he was already well known to the police and it had required but the guidance of a more intrepid mind, like that of Tracy, to bring out the more daring qualities that were latent in him.

Together they drifted to the delectable land known as the Barbary Coast, and one night had a windfall in the shape of a drunken sea captain, recently arrived from a foreign port with a pocket full of money, who proved an easy victim when dragged into a doorway and choked into insensibility.

Tracy inspired Merrill with larger views of a life of thievery by telling him of his own exploits, and Merrill, who was better acquainted with the ways of a seaport town than the other man, imparted his ideas of how wealth might be secured at little risk along the water front.

Their first effort to procure wealth from the means nearest at hand was thought of by Merrill and carried out by the cool nerve of Tracy.

A ship from Japan, the "Carrie Chapman," was unloading a cargo of Oriental merchandise, consisting largely of silks, at a warehouse, and the goods, being

consigned largely to a great importing house in the east, were being transferred by day to the freight yards of the Southern Pacific.

The freight was being transferred by a line of drays and Merrill had observed that the draymen were identified rather by their conveyances than by their personality. The two thieves found it easy enough to make the acquaintance of one of the drivers, whose haunts they located in the evening. When they put themselves in his way the next day, he did not require much urging to get off his empty dray and take a drink. He was a big fellow and wise in his generation, but his bullet head was not proof against the "knock-out" drops that Tracy insinuated into his liquor.

He was dragged into a back room, divested of his jumper and overalls, and when a few minutes later Tracy mounted the dray, only an acquaintance of the real driver would have noticed the difference between him and the drugged man.

"It was no trick at all," said Tracy to Merrill, as the other clambered up on the dray three quarters of an hour afterwards and they started on the drive across town. The dray was loaded with bales of silk.

"I just backed up and helped them dump the stuff into the wagon. Nobody said a word and I just signed a receipt. Now for the dough."

Within an hour they had disposed of the plunder to a "fence," left the dray standing on a busy street and had \$400 to divide.

CHAPTER XIV.

HOLDING UP AN AUTOMOBILE PARTY.

"I tell you, it's up to us to get out of here."

"Don't be a chump," said Tracy, "would anybody identify us with the two tramps who went after that dray man?"

"That's all right," said Merrill, "but you must remember that we've been attracting some attention and I don't want any fly bob sneaking up to me and telling me that the 'Captain wants to see me.' "

"Yes, but what's the chance," said Tracy, "Here we are wearing diamonds and good togs and the worst they can say of us is that we don't ask what the limit is when we hit a faro game."

Merrill was not satisfied. The weakness of the thief was in his conscience, and his idea of safety was in putting distance between himself and the scene of his crime. The two men were flush. They had been "against the bank" and had had an unusual amount of luck. With a couple of thousand dollars in hand, plenty of flashy clothes and some diamonds, Tracy had the conviction that he could not be identified with the "Water Rat" who had stolen a dray-load of silks, and he gave no thought for the morrow. For two weeks they haunted the gilded palaces where men of their

sort sought pleasure and the means of spending their easy-gotten money.

But the luck turned. Tracy got drunk and reckless. The money disappeared first, then the diamonds, and they went out one night looking for a victim.

Tracy's desperation led him to attempt to hold up a richly dressed Chinaman. The Mongolian, frightened out of his wits, fled, in spite of the gun that was aimed at him, and the shot that Tracy fired brought a hundred infuriated Chinamen on the scene.

The bandits ran, were pursued, sought cover in the railroad yards, finally clambered on a moving freight train and were carried out of town.

It was without design that the pair found themselves in Pasadena, for they had clambered into a car and when the door was locked they found it impossible to get out until the "side-door Pullman," as their conveyance was jocularly alluded to by Tracy, was shunted onto a side track at the pretty town.

They were without money, hungry and sober. Both men wore their guns and Merrill was for going into the town and selling one of his for the sake of a meal.

"Never do that," said Tracy. "A man might better sell his clothes, anything. There is no sense in selling the tools of your trade."

"But how about eating?" said Merrill.

"We'll fix that," answered the other, and he led the way out of town in the direction of the orange orchards. They lay in the shade of a clump of trees waiting for dark and discussing plans for the future. From where they lay they had a view up a mile of roadway.

It was a glorious day and in the brilliant herbage of that delightful country there was that to lead the sense of man to thoughts other than those coupled with brigandage.

The surroundings were altogether lost on Tracy. He did observe that oranges were within reach and he growled some curses because they were not fit to eat. He had been lying prone, his chin on his hands, looking up the road when he gave vent to a profane ejaculation and sprang up, then sank down out of sight in the shrubbery.

"By ——," he said, "There is an automobile coming down the road and I am going to stick it up."

Merrill looked startled.

"You'll get us pinched," he said. "They'll get into town in three minutes and have all the coppers in the world on our trail."

"Will they?" rejoined Tracy. "Well you watch me." He looked at his weapons, then moved closer to the roadside and took a position where he could face the machine that was coming leisurely along. The grade was rather steep for scorching. In the seat with the chauffeur sat a young and pretty woman, in the rear seat was another couple. Tracy hastily wound handkerchief around the lower part of his face.

"Hold up, there," he commanded, stepping into view as the machine approached within twenty feet of him. The women screamed, the driver, startled out of his wits, turned the lever and stopped the machine.

"You'll have to excuse me, ladies," said Tracy, "but I really need the money. Put up your hands, in case

anybody should get foolish. Now my friend will see what you've got."

Merrill strode over to the machine. He was slow and Tracy ordered him to hurry up. Then he had an idea.

"Get out of that thing," he roared in a tone that startled the tourists again. They descended precipitately, the women weeping and the men obviously scared. Merrill took a revolver from one of the men. It was a small affair and Tracy laughed contemptuously when he saw it.

One of the men yielded, and groaned as it was taken, a big roll of money. They all had watches and the women some valuable rings.

"Pleasant country for automobiling," said Tracy to one of the women. She faltered something about going to faint and Tracy said nothing more. He examined the machine after the party had been searched.

"I don't like the looks of it but I think I could run it on a straight road," he said, and he ordered the party to walk into the grove beside the roadway.

"What the — are you going to do?" asked Merrill.

"Watch me," returned the other. Under his direction Merrill tied the men and women to trees by the simple process of putting their arms around the trees and behind them. The men's scarfs and the women's torn drapery furnished thongs.

"You'll get away by night, I hope," said Tracy. "I wouldn't inconvenience you for the world but my

friend and I left our auto in the stable and we are compelled to borrow yours."

The bandits clambered into the car and Tracy took the lever. A couple of trials showed how the machine might be stopped and started, and as there was a straight road leading north from the direction in which Pasadena lay he was not worried about turning around. The machine started. Tracy waved his hand in the direction of the trees to which their victims were tied. One of the men called out:

"You dirty blackguard, I'll see you punished for this." Tracy laughed.

The bandits could not increase or regulate the speed of the machine and Merrill was for abandoning it and taking to the open country. When the auto stopped because it had run out of power they jumped out and made for a little town visible some miles away near the railroad track.

The auto party was not released until a passing farmer heard their cries during the night. By that time Tracy and Merrill were on their way north, having "jumped" another freight.

CHAPTER XV.

ROBBING A BANK.

On June 12 Tracy, Merrill and a burly, red-headed man whom they had picked up on the road, rode into the little town of Sutter. It was no unusual sight to the people of the town to see mounted men and there was nothing in the appearance of this trio to attract more than passing comment as they rode up to the hotel, dismounted and wandered into the bar. Both Tracy and Merrill retained some part of the wardrobe they had purchased with the money taken from the automobilists and they wore no guns in sight.

The red man was bearded, wore a canvas coat, and his trousers were thrust into his boots. He was, in fact, a retired knight of the road, his retirement having come about through want of opportunity to pursue his favorite calling. He it was who had directed their attention to the possibility of making a haul at Sutter without taking very long chances.

"It's easy enough," he said to Tracy, "the bank is in a building by itself and I could push it over if it was necessary. The place is small and there is a beautiful chance to get away. If I had a horse I'd take a chance on it myself."

This advice it was that led Tracy and Merrill to make their first attempt at robbing a bank. They

had no very defined plans for each one of them had declined a proposition to go into the town single handed and reconnoiter. It was Tracy's boldness that led them into the place, leaving the plan to shape itself.

"We'll ride in, take a drink or two, have a look at the bank, and if there's any of the long green in sight, go and get it," he said.

They had several drinks at the bar, then wandered out into the village street and walked in the direction of the bank, leaving their horses in front of the hotel. Tracy went into the bank and had a fifty dollar bill changed. He stopped in sight and hearing of the cashier and gave each of his companions a ten dollar bill, at the same time making a remark as though he were paying debts, this with a view to misleading the cashier. In plain sight of the men and just within a wire screen which might easily have been broken down, lay a considerable amount of money.

At the rear end of the room sat a clerk. He looked harmless enough—a young fellow whose father, probably the owner of the bank, had sent him to the "wild west" to get him "licked into shape." Incidentally he had apparently taken upon himself the mission of enlightening the natives in the matter of raiment. He wore white flannel trousers, a gorgeous "blazer" and had on what was undoubtedly the only high collar in town.

The cashier, an elderly man with long beard, undoubtedly shrewd enough in dealing with farmers and discounting notes, had never contemplated the possibility of a hold-up. All the money in the bank was

kept in sight with a view to impressing customers with the resources of the institution.

There were two entrances to the bank building, that through which the bandits entered, another in the rear, close beside the desk occupied by the mold of fashion who kept the bank's books.

As the three men left the bank the cashier looked up at the clock and remarked:

"Might as well shut up, Jim, I guess. There isn't going to be any more business today."

"Suits me," said Jim, "and I could spend the afternoon up in the mountains very handy."

While these remarks were being exchanged Tracy and his companions had passed a few steps up the street. Then Tracy made up his mind.

The street was deserted. The place was taking its afternoon nap. Up and down the length of the dusty main street there was no living thing in sight but the three horses tied in front of the hotel and a panting dog lying in front of them.

"It looks pretty good to me," said Tracy. "Dave, you go up and get the horses. By the time you get here, we ought to be ready. And let me warn you, Red," turning to the other man, "that gun shots wake a town up. We ought to turn this trick without firing a shot. I'll take care of the men—you get the money."

Merrill went up the street and the two desperadoes stepped into the bank. As their shadows fell on the floor the cashier turned away from the vault, with several packages of money in his hands. He had been

just about to put away a portion of the resources that had lain in sight.

"Throw up your hands," shouted Tracy, presenting two guns at the astonished banker.

The young fellow near the door gave vent to a howl and tried to dodge out. "Red" forgot his instructions, pulled a revolver and fired one shot at the clerk.

"You d—— fool," shouted Tracy, "you've spoiled the game." At the same instant he kicked open the wire door of the bank cage and called out again to the clerk, who had fallen on the floor, but was uninjured.

"Shut up, you bloody idiot or I'll blow your head off."

The command, uttered in the ferocious tone that Tracy could use on occasion, had a sedative effect. The youngster shut up and "Red," who had followed Tracy into the enclosure, snatched the money from the cashier, at the same time felling him with a blow from the butt of his gun. The ruffian thrust the money into his pockets, seized what he could get handily on the counter and the two men ran out as Merrill arrived in front of the bank with the horses.

In an instant they were in the saddle. The aroused inhabitants were inquiring the cause of the gunshot by this time, and when they saw the men mounting appreciated what had happened. Not a shot was fired however until the bandits were well out of range climbing one of the hills up which the road led to the north.

As they rode Tracy growled at the red bearded man. "If you hadn't fired that shot we would have tied

those two chumps up and got an hour's start," he said. "Red" chafed under the reprimand. He said nothing. He had the money and perhaps he had a scheme of his own.

From a point on the trail overlooking the town they stopped to look down for pursuit. A little knot of men, some of them mounted, others in buggies, was gathered about the front of the bank. The young fellow in the blazer could be easily distinguished, seated in a buggy.

"They're reckoning that we'll stick to the road," said Red, "let's fool 'em."

After crossing another narrow valley Red led the way up a rocky canyon where the nature of the ground permitted no imprint of the horses' hoofs.

"I think we can get through here," said Red, "cut down another valley where the horses can get a run if necessary and fool that outfit."

Their progress was slow and there was great danger that the horses might break their legs, a menace that was realized as they turned a bend in the canyon, for the horse ridden by Merrill suddenly gave a scream of pain and went down in a heap, carrying his rider with him and falling on Dave's left leg in such a manner as to put walking out of the question for him. They lifted the horse and removed Merrill, who groaned and then fainted from the pain.

"We're in a h—— of a fix," snarled Tracy.

"I guess we'd better take care of ourselves," said "Red."

It was possible the spirit of contrariness in Tracy that made him decline the proposition, or it may have

been the weaving of fate's thread which bound his destiny to that of the man alone and insensible on the rocks.

"No we won't," he said. "We'll stick by the kid."

Making "Red" dismount first he told him to hoist the unconscious man to a place on his horse in front of him. The horse that had fallen was so injured that it could not put its hoof on the ground and had to be abandoned.

"Better shoot it," said Tracy.

"And notify that gang where we are, I suppose," said the other.

"Better a dead horse than a live one limping about," said Tracy, and putting his pistol to the animal's head he killed brute. They made their way slowly to where the canyon opened into a park-like bit of country in the heart of the mountains.

"I think we might plant somewhere about here," said Red. "I've had occasion to keep a few horses in here when their owners might be looking for them and the place hasn't many visitors."

It was like a cup, with a velvety bottom, this break in the rugged face of the mountains. Its precipitous sides were covered with a scrubby growth of timber. Down through the grassy heart of it ran a little stream. As far as could be seen there was no outlet from the place except that through which they had entered. Tracy's sharp eye noted this.

"How are we going to get away, if necessary," he said, "down back through Sutter?"

"Leave that to me," said "Red." "It used to be

necessary to take horses out of here, as well as bring them in."

They laid Merrill on the bank of the little stream where he presently recovered consciousness. Tracy examined Dave's foot and leg and found that no bones were broken. When he tried to stand on it, however, he found it useless.

"Stick it in cold water," advised "Red." "That'll fix it.

While Dave lay moaning with his ankle in the water they counted and divided the money. There was \$850 apiece.

"Not bad," said Tracy. "If——," and he looked anxiously towards the defile through which they had entered the little valley. As he glanced he suddenly threw himself flat on the ground.

"Down," he hissed.

"Red" obeyed precipitately. Merrill was already down.

"Trouble's going to start," said Tracy. "They're comin'," and he drew his weapons.

"Red" craned his neck in the direction in which Tracy pointed and then suddenly stood up and waved his hat.

"It's all right," he said.

The ejaculation saved him. Tracy, on the lookout for treachery, had been within a second of killing the man.

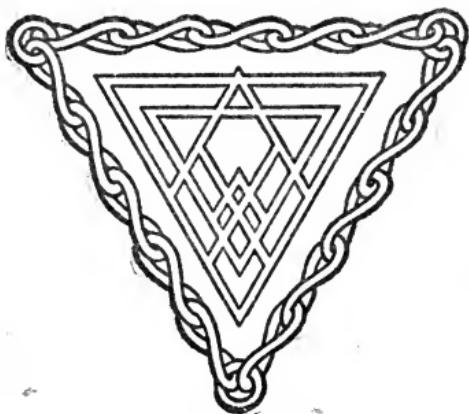
"It's some of my pals," said "Red."

Down the side of the mountain three horses bearing

men scrambled in the wake of a dozen riderless animals.

"Who are they?" demanded Tracy.

"Friends of mine who use this place as I told you," answered "Red," "now we can stand off that bunch from Sutter."



CHAPTER XVI.

TREACHERY—A FIGHT FOR LIFE—TRACY IS WOUNDED.

Tracy did not receive the new comers with very good grace. Naturally suspicious, never willing to divide his booty or increase his chances of capture or defeat, even with his friends, he resented the coming of the horse-thieves as a possible menace.

He was not altogether satisfied with the actions of "Red." This man, whose name is said to have been Cosgriff, he had picked up in that off-hand way in which outlaws make their friends. The freemasonry that appears to exist among all men who live without the pale of the law had put Tracy and Merrill on a plane of seeming friendship with "Red," but as yet nothing had transpired to assure Tracy that the man might be reckoned a friend as well as a companion in crime.

The new comers were not calculated to inspire confidence in one even less suspicious than Tracy had become by reason of his hardening career. They were belted and booted, dirty, unkempt and unshaven—incidentals that might not have militated against them in the mind of so thorough-going a rascal as Tracy, but they did not help even with him.

The man who appeared to be the leader of the trio and who greeted "Red" with a surly "Hello, 'Red'"

and in a manner that showed they were on excellent terms, was a tall, ferocious-looking brigand, with a repulsive countenance and having but one eye. The others were but little better favored than he and Tracy was not the more pleased to see that they all shook hands with Cosgriff.

"Been havin' a mix?" inquired he of the one eye, glancing at Merrill.

"Not much. Fell off his hoss," replied "Red."

"Are ye under cover?" asked the new comer.

Tracy warned "Red" with a glance which he unheeded and remarked:

"Just for a day of two."

If the horse thieves were not to be commended for their looks they were hospitable after their kind. One of the number was sent to keep a lookout. The other two produced provisions of various kinds, which they had obviously not come by honestly, being mostly in the form of unplucked fowls and freshly killed sheep, and the meal that was gotten ready presently was devoured voraciously by the crowd.

Darkness was now settling fast in the wooded glen, and the night threatened to be cold, a common condition after dark at that altitude. The obvious danger of starting a fire in the dark put that proceeding out of the question.

Tracy observed that the one-eyed man had called "Red" to one side and had a conversation with him. The desperado knew no fear, but he did know the kind of man he was dealing with. The proverbial "honor among thieves" had never appealed to him and he was

skeptical of the verity of it. He dropped along side of Merrill and whispered:

"Are you fit for a mix?"

"I'm game," said Merrill.

All night the two men remained together, Tracy with his weapons ready and Merrill dozing most of the time. Nothing occurred until after breakfast in the morning when a man who had been sent up the hillside was seen to make a signal which drove them all to cover in the scrubby timber on the opposite side of the valley through which they had entered. The signalling must have been preconcerted, for Tracy, walking with Merrill, whose foot was practically all right, was allowed to go in advance of the others several paces. His quick ear observed in a moment that the horse-thieves and "Red" were not following. He laid his hands on his guns and turned swiftly.

As he turned Cosgriff and the one-eyed man were standing together some twenty feet away. Both had their weapons drawn and in that attitude the two parties stood for an instant. Then the one-eyed man spoke:

"We've talked it over," he said, "and the best thing you young fellers can do is to tote your traps out o' this. You see," he continued, "we're kind o' peaceable here and we'll be better off if the folks from Sutter should drop in not to have you two here. And perhaps," he added with a grin, "it'd be better if your clothes wasn't stickin' out with money, so you'd better hand over that dough."

Why Tracy had permitted this harangue he could

not tell. He may have been reckoning the odds. If he had he must have decided that four to two was not too long a chance, for even as the speaker concluded a shot rang out and the one-eyed man dropped in his tracks. With that marvelous dexterity and certainty of aim which distinguished him, Tracy had fired holding his pistol at his side—and the chances now were but three to two. This he reckoned in a flash, for even as the one-eyed horse-thief dropped Tracy and Merrill covered the red-bearded man and his companion with their guns. Tracy and Merrill both shot and the two fell, wounded.

At that moment the man who had been on lookout came running out of the timber, firing as he ran. Tracy turned to return his fire and as he did so his attention was distracted from "Red," who, rolling over on his elbow, aimed steadily at Harry, and as his weapon spoke Tracy's left arm dropped to his side.

With a frightful oath Tracy and Merrill both shot at Cosgriff and he moved no more. Fifty yards away the man who had been on lookout was prone on the ground.

"Now," said Tracy, "I guess, Dave, it's time for us to duck."

They looked at the prostrate men. Neither the one-eyed man nor "Red" would ever again look over a gun or steal a horse. One of the other was shot through the shoulder and the fourth man had a shattered leg. Tracy relieved the living men of their weapons and left them lying as they were. Then he turned to Merrill and said:

"You had better tie a rag around that wing of

mine and we'll take that dead dog's advice and get out of this."

The wound in his arm was painful but the bone did not appear to be shattered and Tracy made light of it, leaving Merrill to saddle the horses the bandit strode up the hillside in the direction from which the horse rustlers had come.

Presently he called to Dave that it was all right, to come on. Throwing the captured pistols and some provisions into a couple of bags, Merrill swung them over his horse's back, then walked over to the body of "Red" Cosgriff and abstracted the roll which contained that robber's share of the previous day's enterprise.

For two days the men wandered about in the mountainous country, losing their pursuers, perhaps the more thoroughly in that they lost themselves.

At noon of the third day they came upon a farmhouse occupied by an elderly couple. Tracy, worn by his wound, which had become feverish and was troubling him, and Merrill, still able to use his foot only with great pain, concluded to take chances on getting out of the country. The old backwoodsman, induced by the offer of the bandits to give him their horses if he would transport them in a wagon to a railroad point, piled the wagon box with hay and the bandits lay in it and got away to the coast.

At Humboldt they bargained with the captain of a lumber schooner to take them off and were landed in Portland, where they were to begin their career of desperate criminality which landed them in the penitentiary, and finally led to the death of both.

CHAPTER XVII.

THE BEGINNING OF THE END—TRACY BECOMES A BURGLAR—PORTLAND IS ASTONISHED BY THE CRIMES OF TWO MEN.

David Merrill's family, his mother and half sister, lived in Portland, Oregon. It was the homing instinct, as strong in criminals as in those whose lives run in different channels, that led Dave to select Portland as a place of shelter. The fact that they found passage direct from Humboldt to the Oregon city was merely an incident—the two intended to make for that point when they had made California too hot to hold them.

The Merrills came from Vancouver, British Columbia. Even while they lived on the Canadian side of the line Dave had developed traits of toughness. He had made many excursions into the interior and to the north. When the Klondike craze broke out he started for the new gold country but got no farther than Skaguay. There he had been identified with the thugs and gamblers who preyed upon the gold seekers intending to make the trip over the Chilkoot Pass.

He was known as a dangerous man, ready with his gun and not above using it when necessary to carry on his nefarious business of holding up tenderfeet or to "make good" in a gun fight.

He was driven out of the place when the conditions became unbearable and the decent citizens rose up and notified the toughs that they must get out or take chances on frontier justice.

While he was absent in the north his mother and sister, respectable people to whom the boy was the cause of much sorrow, had removed from Vancouver to Portland, and with them he sought shelter while recuperating and making ready to start forth again.

Even the presence of his family exercised no restraint upon Merrill for while he was living at home he engaged in so many exploits, petty hold-ups and other robberies that the police made the place too hot for him and he was given his choice of going to jail or getting out of Portland. He did not hesitate—he preferred exile and freedom to a prison cell and made his way down the coast. This flitting led to the meeting with Tracy.

When he returned home he brought with him the desperado with whom he was associated and who was to be his executioner.

The two men appear to have been received hospitably—Merrill even affectionately—by Dave's mother and sister. In spite of Tracy's sinister record and his bloodthirsty character his personality was not unpleasing when he desired to make himself agreeable and he was cheerful, almost entertaining, when he exerted himself to please a woman.

That 'Genie was the one woman to whom he gave any large share of affection is very certain, but it is also certain that he had met, at various periods of his

career, other women who would not have been displeased to be on better terms with the good looking and daring outlaw.

It is not surprising that Mary Merrill should have been pleased with the bandit. He was genial, he looked fearlessly at everyone with whom he was brought into contact and there is no doubt that the girl knew something of his romantically stirring past. Of its bloody ferocity she was probably unaware though it must be admitted that even such a past would not preclude the possibility of a good woman making the man the object of her affections.

In all ages good women have sacrificed themselves for men who had the instincts of ruffians.

Thrown much into the company of Tracy—who with Dave remained quietly at the Merrill home for some weeks, Mary Merrill probably lost her heart to her brother's partner in crime. In any event they became engaged, according to common rumor.

That her influence and association with her made for the taming of the bandit is inferred from the fact he refrained for some time from deeds of violence. Then there was another reason why he might refrain from crime—he was in funds.

He went about with the Merrills and met their friends. He was popular with the people whom he met—who were not likely to be of a class to ask questions about the past of a man who had money that he was willing to spend and was good company.

But both he and Dave spent the money they had brought with them lavishly. In a few weeks they were

broke. Then it occurred to Merrill that they would be more certain of protection if they "operated" in and about Portland and made his mother's home a hiding place. The attention of the police had not yet been directed to his return. Tracy the police of Portland knew nothing of, except by common report. They assuredly had no idea that he was in the city.

Six weeks after their advent in Portland the men were broke. They had been out late one night, gambling. They were on their way home cursing their luck.

"Say, Harry," said Merrill, "it wouldn't be much of a trick to get away with a bundle of money in that gambling joint."

"I was thinking of that when I saw old Amos putting away that bank roll to-night. There must have been three or four thousand in it." Tracy's mind was running with that of his companion.

"You could cut a hole in that safe just like it was paper," said Merrill. "Let's go back and crack it."

"Do you know the building?"

"Backwards. I've slept in that room many a night when I went broke. There is a fire escape up the back way. I can get into the box by listening to the tumblers."

The trick did not take them a half hour. They got \$1,100—but they got drunk and talked. The consequence of their talkativeness was that Amos got them in such a tight corner that they gave back \$600 of the money two days afterward with the understanding that they should not be prosecuted—an arrangement

altogether satisfactory to the gambler who did not want his business exploited too much.

"No more second story work for me," said Tracy, "I'd sooner take a longer chance and not have to give up any of the goods."

Two days later they went into the office of a coal dealer. It was Saturday, and just about dark. They had calculated that the dealer might have money to pay off his drivers, and there would certainly be the receipts since banking hours.

"I want you to send me a ton of coal," said Merrill, showing a bill. He gave a fictitious name and address. When the man bent over the book to enter the order, Tracy hit him with a blackjack, felling him. The coal dealer very nearly made another victim on Tracy's list by dying. The safe was locked and there was no opportunity of blowing it open. The robbers got only what was in the till, a few dollars. They got off without trouble.

Within a week three men were held up and robbed within three blocks in a rich residence district. The last victim, a real estate man, who had grown up with the country and who was not frightened by the guns of the robbers, made an argument in order to get a look at his assailants. He was knocked down and his valuables taken. He recovered before the men got out of sight and started in pursuit of them, shouting. He was joined by a number of belated citizens. Tracy turned around and fired a few shots at the pursuers but it was too dark to see what he was shooting at.

The robbers crossed a suburban car line just as a fast-running trolley car arrived. They jumped aboard the car. Tracy held a gun to the motorman's head and told him to "let 'er go."

Dave took care of the conductor. They distanced pursuit in a dozen blocks and took to the dark side streets.

A few nights later, Tracy, half drunk and wholly reckless, got aboard that same car. He happened to recognize the motorman and conductor. He was the only passenger.

He talked to the conductor, who recognized him as one of the hold-up men he had been compelled to carry.

"I'm not in such a hurry to-night," said Tracy, laughing. He appeared to be drunker than he was. It entered the conductor's head that he might do a stroke of business by capturing a bandit.

He looked ahead and saw a policeman's star glistening under an electric light. Tracy saw the star too. The conductor reached for the bell cord.

"Leave it alone," ordered the bandit, and he pressed a revolver hard against the conductor's ribs. The car did not stop. A block farther on Tracy took all the money the conductor had, including the pennies, hit the man wantonly over the head with the butt of his revolver, and escaped from the car.

CHAPTER XVIII.

**A CARNIVAL OF CRIME—POLICE DESPERATE—MERRILL
TRAPPED—TRACY CAPTURES A TRAIN—FELLED
BY A BUTCHER—PRISON.**

Tracy and Merrill indulged in a carnival of crime in the closing months of 1898 and January 1899. They terrorized the streets of Portland. The citizen who had the temerity to carry valuables and attempt to make his way home after dark was in a very fair way to be held up—and he generally was.

Neither Tracy nor Merrill made any particular attempt to cover their tracks. The very boldness of their exploits and the daring they exhibited in standing off pursuers made for their safety.

The men had several rooms to which they resorted as occasion required. At times both of them stopped at the Merrill home.

The police were nonplussed and rendered desperate by the complaints of the people and the comments of the newspapers.

They were morally certain that Tracy and Merrill were the men responsible for the holdups and robberies but it seemed impossible to take them. There was a conference of the police in February. The chief announced that the two men must be taken alive if possible or brought in dead.

A detective named Weiner had been following the men and knew their haunts. He advised that the Merrill house be watched constantly.

For five days detectives watched all the doors but Tracy and Merrill were warned and kept away from the house. The watch was abandoned, the police being assured that the only way to trap the men was by raiding the house.

On the night of February 8th, a boy ran into police headquarters and said he had seen Harry Tracy and Dave Merrill enter Mrs. Merrill's home.

A dozen men, policemen and detectives, were sent out at once.

There was a wagon-load of them. The wagon was stopped a block away. The house was covered from front and rear. It was a two story affair and the police, from constant watching, knew every detail of its arrangement. A cordon of men stood about with drawn revolvers, and orders to shoot in case anybody attempted to get out.

Three men, with Weiner and a captain at their head, knocked at the front door. Mrs. Merrill came to the door in response to the knock. Just behind her was Mary Merrill.

"Is Dave Merrill here?" asked Weiner, putting his foot inside of the door. As he spoke Mary Merrill disappeared.

"He isn't here," faltered the mother.

At the same instant the policemen at the back door, saw it open and a head was pushed out. Three re-

volvers were presented at the head, and the door slammed to again.

Hearing the slamming of the door the captain and Weiner pressed in through the front door, drawn revolvers in hand. If Tracy had been in the house they would surely have paid for their temerity with their lives. Merrill, lacking the cool determination of his pal, permitted his mother and sister to secrete him.

The police filled the house and made a systematic search of it. Room by room they progressed and when they returned to the lower floor they had not found Dave.

"He could not get up a chimney, there is no way out to the roof. The man must be in the house," said the captain. "Search the drawers and closets."

Mrs. Merrill, in her anxiety, told the detectives where to search. She remained in her own bedroom. Along one side of the room there was a big old-fashioned bureau. In the lower drawer there was room for a man, but the policeman who opened it was looking for hidden plunder rather than for the quarry. He reached into the drawer, then threw himself down into it.

"Dave isn't here I tell you," Mrs. Merrill was screaming. The girl looked on scornfully until the detective threw himself down on the drawer. Then she screamed and the police thought she called:

"Shoot, Dave!"

A half dozen men crowded around the bureau.

Merrill, swathed about with his mother's dresses, lay in the drawer; the clothing encumbered his move-

ments. He could not shoot and was disarmed and arrested.

"My boy is not to be blamed. Tracy did it all," cried the distracted mother.

"Shut up, mother," cried the girl, pressing her hand over her mother's mouth. The poor woman, despairing as well as enraged, would not be quiet. She screamed out the address at which Tracy might be found.

Giving Mary Merrill no chance to communicate with Tracy, the police held her in the house while Weiner sent a decoy note to the bandit, signing Merrill's name and asking for a meeting and naming a lumber yard near the Northern Pacific railroad tracks.

All his after life Tracy had a lurking suspicion that Dave sent the note himself, though there was no foundation for the suspicion. The signature was cleverly forged by the detective.

Weiner met Tracy alone. It was known that the bandit was too shrewd to approach the place if there were many there and Weiner took the chance, a squad of officers being concealed, down the tracks.

"Dave wants to see you, Harry," called out the detective, as Tracy approached, cautiously.

"Who are you?" demanded the robber, his hand on his gun.

"Well, if I wasn't right Dave wouldn't put me in it, would he?" said the detective. "He had to duck in a hurry and is down the track. He was afraid to show here and sent me down."

They started along the track together and Tracy

became suspicious of the answers made by Weiner. A switch engine passed slowly and just then Weiner gave what Harry thought was a signal. Weiner says he made no sign, that the ambush was two hundred yards further on. But on the instant, as the engine passed, Tracy put out his hand and caught the railing of the cab.

Swinging himself on to the step with one hand he took a shot at Weiner, who was only a few feet away. The man fell.

The bandit was in the cab before the detective reached the ground. Putting his revolver to the head of the astonished engineer, Tracy said:

"I'm going to take this train. Just pull open the throttle."

Being a sensible as well as a brave man the engineer obeyed promptly and the locomotive leaped forward, dashing past the ambushed police before they realized what had happened.

It was impossible to keep up the speed in the yards and Tracy permitted the engineer to slow up. Two miles out he prepared to leave the engine, the pace didn't suit him.

The police had telephoned ahead and when he descended from the engine a couple of policemen and a mob surrounded him before he could make off.

He drew both his guns and said quietly:

"Now you people get out of the way and there'll be no trouble. If you don't make way I'll begin shooting and when I shoot it means something."

As he stopped speaking a man wearing a butcher's

apron, who had come out of a nearby shop hit him on the head with the flat side of a cleaver.

Tracy dropped and the police pounced on him. Before he came to, he was disarmed and secured.

He was tried with Merrill. They were both charged with highway robbery and in Tracy's case it was shown that he assaulted an officer with intent to kill.

He was given twenty years in the penitentiary at Salem and Merrill was sentenced for thirteen years.

The day before the men were removed to Salem, Tracy was visited in the county jail at Portland by Mary Merrill. When she left he had a revolver.

The next day, when his cell door was opened he presented a revolver at the head of the jailer and marched him to the outer door.

"Unlock it," commanded the prisoner. The key was turned in the lock and Tracy was on the threshold of freedom when two clubs fell on his unprotected head from behind.

Two guards had observed what was going on, had removed their shoes and crept up behind the man.

The next day the prisoners were received at Salem and the warden was warned that they were desperate men.

CHAPTER XIX.

THE PATH TO FREEDOM BLAZED WITH BLOOD.

The night of June 8, 1902, was dark and stormy. The guards traveling the broad walls surrounding the Oregon penitentiary, at Salem, struggled against the fierce blast that swept the country. The lightning played on the barrels of their rifles. Thunder pealed and reverberated incessantly up to ten o'clock and the prisoners within felt the horror of being cooped up in narrow spaces while the elements battled in wild freedom.

When the rain had passed at ten o'clock the wind still blew and the lightning, though vivid, did not come in sheets. The walls could guard themselves on such a night.

It was near eleven when a single horse, attached to a buggy, was driven up to within a hundred yards of the prison walls. From the buggy a woman descended bearing a burden.

She gazed long and anxiously at the walls and the little sentry boxes in which the guards had taken refuge. Then she walked fearlessly to a section of the walls above which peeped the roof of a building—the stove foundry of the prison. She deposited her burden at the foot of the wall and returned to the buggy. From the back of the vehicle she pulled out

an extension ladder that had projected some feet from the rear of the box. This she carried to the wall.

Quite deliberately she drew out the extension of the ladder, then laid it against the wall. The masonry stood up about sixteen feet sheer from the ground. She knew that it was twenty feet from the top of the wall to the ground on the inside. The ladder reached to within three feet of the top of the wall.

Stooping over the burden she had first carried to the foot of the wall the woman busied herself for a moment, then she straightened up and climbed the ladder laboriously carrying two rifles. Attached to the weapons was a slight string.

Peering along the wall, stooping when the now feeble flashes of lightning lit up the surroundings, she thrust the rifles over the top of the masonry and lowered them by the attached string until it was held loosely in her hand and she knew the weapons lay on the ground, just beside the foundry house.

Breaking the string the weight of the rifles snapped the end of the cord over the wall.

The woman descended, took away the ladder, put it in the buggy, climbed in herself and drove away.

"Did you hear a noise, Bill?" asked one of the guards of another as they met on the wall top twenty minutes later.

"I thought I did but it was a passerby, I guess," replied "Bill."

* * *

At eight o'clock the next morning the doors of the prison dormitory swung open into the yard and a little

band of men in striped suits marched into the brilliant light of the early day. Besides the half dozen men marched Guard F. B. Farrell. He was on the inner side of the file.

At the head of the file marched Dave Merrill with another man. Just behind Merrill Tracy walked, keeping the prison step. They filed along the "dead line" thirty feet from the prison wall. To step over that line meant to invite death from the rifles of one of the three men on the walls.

Straight for the foundry door marched the squad. When within ten feet of the door of the workshop Tracy spoke in a low tone.

Instantly Merrill sprang out of the ranks, Tracy beside him. In three bounds they reached the wall and seized the two rifles lying there.

The four remaining prisoners scattered, and Guard Farrell, who had been stunned by the suddenness of the movements of the convicts presented his rifle at them.

Before he could pull the trigger Tracy had fired a shot and the guard fell dead.

Shouting in a manner to create consternation and disconcert the guards, the two men ran quickly to the center of the prison yard. In the magazine of each rifle there were sixteen shots to start. The men began firing at the guards on the wall and they returned the fire.

At Tracy's second shot Guard S. R. T. Jones, stationed on the wall threw up his hands and dropped dead into the yard.

An old convict named Ingraham got in the way of the desperate bandits as they ran back to the wall. He was shot down—he afterwards died.

Beside the foundry was a ladder. Merrill picked it up and placed it against the wall. The prison yard was clear at this time but Tracy stood waiting for somebody or something to shoot at. Consternation filled guards and convicts and the men started to climb the ladders. The guards on the opposite wall fired at them as they climbed. Tracy stopped deliberately and shot back.

They reached the top of the wall unharmed, threw their rifles clear of the mud in the ditch below and jumped.

They landed in the mud, uninjured.

"Across the fields for cover," shouted Merrill.

"Stop you idiot," yelled Tracy. "They'll pot you in a second."

He ran along under cover of the wall to the main gate. As he arrived with Merrill at his heels two guards ran out. Before they saw the prisoners Tracy had them covered and made them throw their rifles away.

"Now march that way," said Tracy, pointing across the fields to cover. The guards, Tiffany and Ross started to walk between the two men, the rifles of Tracy and Merrill pointed at their heads. Presently Tracy stopped and called out to a guard on the wall.

"You fire a shot and we'll blow the heads off these two."

The man on the wall fired a shot, when the men were a hundred yards away. He missed.

Tracy shot Tiffany dead, Merrill shot at Ross and the man dropped, feigning death. The convicts broke into a run and in three minutes were under cover and well way before pursuit could be organized.

"That looks like a good getaway, Dave," said Tracy. "And if they are wise they won't get too close to us."



CHAPTER XX.

IN THE DEEP TIMBER—DISCARDING THE STRIPES—TWO SHERIFFS HELD UP.

The penitentiary at Salem is built close to the banks of the Willamette river. The country is thickly timbered, the virgin growth still standing, except for the clearings that are occupied by farmers. Salem is but forty-five miles from Portland and in the midst of a comparatively populous country. The escape of the men created a tremendous sensation throughout the State, and the governor, within a few hours had offered a reward of \$2,000 for the apprehension of the convicts.

Within a few hours the warden of the prison, co-operating with the sheriff of the county, had organized a posse of twenty men and started them in pursuit of Tracy and his companion.

They, in the meantime had taken to the timber, which is very dense. The men were hilarious over their escape. No tremor of remorse at the lives they had taken in effecting their escape, affected them. They were in excellent health and those with whom they were brought in contact soon said they appeared to be in the best of spirits.

They were a desperate looking pair. Three years they had spent in the prison, nearly all of the time

working at the more laborious part of the duties performed in the stove foundry. Merrill had even grown more rugged during the period of his confinement. They had both received fairly good treatment, though rigorously watched.

Tracy, taking a lesson from his former prison experience, had systematically obeyed the rules and regulations of the prison. Having constant communication with the outside, he had always hoped for an opportunity to escape, and his constant ambition was to so impress his guards that he might be considered trustworthy. Only the desperate reputation of the men had kept them at hard labor in the foundry, for they had by their behavior earned the consideration of the prison officials.

By what means the plot was arranged whereby they were furnished with arms will probably never be known. Tracy himself said that the rifles were furnished by a woman whom he had some day expected to recompense.

At noon of the day of their escape the two men appeared in the yard of a farmhouse, situated in a clearing in the woods within three miles of the prison. An old woman was alone at the door when they approached and she screaming, fled into the house.

The men were bare-headed. Through their closely clipped hair the skull shone. Their faces were grimy, their clothing covered with mud and torn, making the stripes which were a badge of disgrace even more hideous. In their black and knotted hands, each of the men carried a rifle. But it was the ferocity of

their countenances, rather than their general appearance that drove the old woman screaming into the house.

Tracy followed her in, laughing.

"Don't be afraid, mother," he said. "We're not going to eat you. We've had tough fare enough."

The woman crouched terrified on the bed while Tracy looked about the single room of the house.

He found a loaf of bread and went out. In the meantime Merrill had knocked over a couple of chickens. The convicts went a mile back in the timber, cooked the chickens and lay there during the afternoon, discussing their plans.

At ten o'clock that night they held up J. W. Stewart of South Salem on the highway near his home. They made him disrobe and divided his garments amongst them. Then, making him swear that he would not tell that he had seen them, and threatening dire vengeance if he broke his oath, they let the man go. He kept quiet.

A few minutes later an expressman was held up in the outskirts of Salem and from him Tracy and Merrill secured clothing enough to finally discard their prison raiment. Entering a stable within a few yards of where they held the expressman up they took two horses and started north toward the Washington state line. They pressed on through the night until their horses were worn out, when they turned them loose.

In the forenoon of the next day, two deputy sheriffs riding in a buggy, returning from a trip to the north in search of the escaped prisoners, were held up as

they were passing through a strip of timber, twenty miles north and west of Salem. Tracy stepped boldly out of the timber, caught them unawares and with pointed rifle shouted:

"Hold up!" They stopped. "Now, throw up your hands."

Merrill went to the horse's head and holding his rifle pointed at them, compelled the men to jump out of the buggy, their hands still in the air. Tracy stepped over and searched the sheriffs. He found two revolvers strapped on to each of the men. These he confiscated.

Standing behind one of the men he pulled back his coat and Merrill saw the star on his vest.

"Hello," said Dave, "that's a copper, Harry, let me take a shot at him."

"Maybe the other one is too," said Harry, and he pulled back his coat.

"Yes, there's two of 'em."

"Looking for us, I suppose," said Harry, pleasantly.

"Not in particular," answered one of the men, but both he and his companion expected nothing better than to be shot to death. Tracy took their stars and what money and papers they had, and said:

"We'll just turn you fellows loose so you can tell the rest of them what happened and if they follow too close that they won't get the chance you had."

The robbers watched the men walk down the road some distance, then jumped into the buggy themselves and drove north.

CHAPTER XXI.

TRACY AND MERRILL AMBUSH A POSSE—EIGHT THOUSAND DOLLARS REWARD—THE MILITIA—
A PURSUIT.

"There's a gang of men coming up the road there, Harry, and I guess they're looking for us."

Dave Merrill was standing at the edge of the timber on the brow of a hill, looking back down the road which the bandits had climbed within the past couple of hours. It was near noon, of June 11. In the early morning they had driven the sheriff's horse and buggy into a farmer's yard, with a proposition to trade horses. The place was deserted but for a boy and a young girl. Their intention had been to trade the horse and buggy for a couple of horses and saddles.

The girl explained that her father had gone out with the team, looking for Harry Tracy.

"Well, you tell him when he comes back," said Tracy, laughing, "that he might better be at home, trading horses. I'm Harry Tracy." The girl shrank in fright. "Oh, you needn't be alarmed," said Harry, "I'm not going to bite you, but you might get us something to eat and we'll pay for it."

He joked with the trembling girl while she prepared them the meal until her confidence was restored. He gave her two dollars and he and Merrill left afoot,

the sheriff's horse being worn out. It was several hours after this that Merrill saw the crowd of men riding after them up the roadway.

Tracy looked earnestly down the trail and counted eight men.

"We might do some business with those fellows," he said, "and we need some horses anyway. Let's shoot 'em up a bit."

Merrill demurred.

"I don't like so much mixing up," he said, "Let's get north of here."

"You stick to me, young fellow," said Tracy, grimly.

They picked out a position behind some fallen timber at a bend from which they commanded the road without being seen.

The posse was composed of farmers and citizens of the nearby town of Gervais. Inspired by the various rewards which at this time amounted to \$8,000, the men had organized themselves for a man hunt.

They had stopped at the farmhouse at which Tracy and Merrill had breakfasted and knew that the bandits could not be far away if they stuck to the road. If they had known the men they were pursuing they would not have ridden along in the compact body they now formed as they came up the hill. They were armed with shotguns and rifles, to which they were obviously unused.

The men were laughing and talking as they stopped to breathe their horses on reaching the brow of the hill. Several of them were in the act of filling their pipes, when a terrific voice, within a few feet of them, roared:

"Throw up your hands!"

Instinctively they glanced in the direction of the voice. Harry Tracy, standing on a log, held two revolvers pointed at the group. Beside him was Merrill, his cheek laid against the stock of a Winchester, his beady eyes gleaming along the barrel.

At the word of command, three of the men dropped their guns. They all put their hands up to the limit.

"You fellows are looking for Harry Tracy and Dave Merrill, I suppose," said Tracy. "Well you've found 'em," he continued, "and I don't see that it has done you much good. We'd ought to blow your heads off but the country needs you on your farms. Throw those guns across the road there," he commanded the men, who still held their weapons in the air. "Now dismount and get off on this side of your horses." The men obeyed.

"Now march off back down the road there and keep going."

Without a word of protest the posse took the back track, Tracy and Merrill stepping into the road and keeping them covered. When the men of the posse had proceeded a few hundred yards, Tracy and Merrill picked up the discarded guns, each clambered on a horse and, leading the other animals, they rode down to where a bridge crossed a small stream.

Tracy dismounted, threw the captured guns into the water, unsaddled the led horses, drove them into the nearby timber and rode off along the trail.

"Wasn't that better than to let those suckers go

chasing 'round with firearms until they hurt themselves or somebody else?" Tracy asked Merrill.

"I guess it was," said Dave, "but I don't like monkeying around in this country. I'm going to quit and go north."

Tracy looked at him curiously, but said nothing. Merrill appeared to be depressed, but in Tracy's manner, careless, even jocular, as it were, there was nothing to show that he was aware of the fact that the people of the state were aroused and in pursuit of him.

Public sentiment had inspired the Governor of Oregon to take drastic steps to effect the capture of Tracy and his companion. He ordered the state militia officers to respond to calls for aid from the sheriff of any county who required it.

The warden of the penitentiary had offered a personal reward for the capture of the men. The county commissioners at Salem had added to this reward. These special offers, added to the state reward, made the capture of the men an inducement that was not likely to be overlooked. They were worth \$8,000 dead or alive to their captors.

They became aware of their value when they were drawing to the town of Gervais. They met a farmer driving slowly along reading a newspaper. Tracy stopped him and took the paper, saying jokingly:

"My subscription ran out a few years ago and I have to get my papers the best way I can."

The pair turned up a cross road and pulled up in the shade while Tracy read.

"They're getting after us good, Dave," he said, "the militia's been ordered out."

That night they stopped at a farmhouse within two miles of Gervais. The farmer and his wife they drove into the loft over the living room of the house, from which there was no egress except by a stairway, and slept in apparent security in the farmer's bed.

They were astir early in the morning and after demanding and securing a good breakfast, started to the north.

Soon after daybreak they met a young fellow coming from town and stopped to inquire the news. He took them to be members of the posse and startled them with his information.

"They're going to get Tracy and Merrill this morning," he said. "They got a bunch of soldiers at Gervais last night and they're scattered all along north of here."

"If them fellers run into the soldiers they won't last long," he added.

"I told you we'd hang around here considerable too late," growled Merrill.

"Oh, shut up and come along with me," was Tracy's rejoinder.

A few minutes later the elder of the bandits climbed an eminence that gave him a view of the little town of Gervais and the country to the north. Here and there he could see the reflection of the morning sun gleaming from a rifle barrel or some bright portion of a soldier's accoutrements. The line of militiamen appeared to extend for a couple of miles east and west

across the track which it was to be expected he and his companion would follow when going north.

"Why, we can ride through them without taking a chance on a shot," he said.

Merrill was too anxious to get into the state of Washington to demur to any plan that involved moving to the north.

"I'm ready," he said.

They were within a mile or less of the line of soldiers. From where they stood a road ran directly north.

They rode quietly at a foot pace for almost a mile without challenge. Both carried their rifles lying handily across their saddles before them, and were on the qui vive for a challenge. The challenge came.

The command rang out sharp and clear from a soldier who stood not a dozen paces away at the edge of the road. For answer both men brought their rifle barrels down sharply on their horses flanks. The animals sprang forward and Tracy and Merrill began firing rapidly and at random, after the first shot at the soldier in front of them, who was knocked down by Tracy's horse before he could fire.

Shooting and howling madly, the men dashed along the road, and presently from the right and left began a desultory fire from the militiamen.

A depression in the road saved them from the militiamen's bullets, and a half hour afterwards they were trotting calmly along as though they had not just run the gauntlet of a cordon of 250 soldiers.

CHAPTER XXII.

"ON TO WASHINGTON"—CROSSING THE COLUMBIA—AN
ASTONISHED JAP.

On the morning of June 14, there arrived at Oregon City, on the Columbia river, a quietly but well dressed woman, who on getting off the train asked the station agent where she could find a livery stable.

She was a blonde, her language and manner indicated refinement. She was dressed entirely in black, and in good taste. The station agent offered to send for the liveryman and talked with the woman while she was waiting.

"Has there been anything heard of Tracy or Merrill about here?" she asked. "I have to drive a few miles into the country and would not care to meet them."

The station agent, large and important, said the men were in the neighborhood but there were posses out who would soon stop them and the country was quite quiet. The woman told the livery-man that she wanted a single horse and buggy.

She drove to the southeast. Four miles from Oregon City she stopped the horse, looked at her watch, then, seeing some little distance ahead a spot in the road that was shaded by trees, she drove on and halted again. This time her manner showed that she was ready to wait. For a half hour the woman sat

quietly in the buggy. At the end of that time she was aroused by a sharp whistle coming from the woods on her right. She stood up and looked in the direction from which the sound came, then waved her hand and waited.

Presently two men appeared at the edge of the timber. The woman sprang from the buggy and greeted them both, the one with, "Oh, Dave, I'm glad to see you," then she turned and was clasped in the arms of the tall man.

The horse was led into the timber a short distance and the three sat down and talked earnestly. They were seen by a farmer's boy who passed. Before noon the woman returned to Oregon City and took the next train to Portland.

Just after dinner the same day two men appeared at the door of the house belonging to the family whose boy had seen the woman and two men a mile south on the road and asked for something to eat.

Kelso, the farmer, asked them roughly if they could pay for it and the older and larger man of the two said:

"Don't you worry about that. Get out the grub."

"I reckon you're some o' the men that's lookin' for Tracy" said the farmer.

"Not exactly," said the man whom he had addressed, "because I happen to be Tracy myself."

The farmer made what apologies he could. Tracy was not as good natured as he was ordinarily in dealing with the farming people. He gruffly ordered the man to hurry with the meal.

When they had eaten, Tracy picked up his rifle—Merrill did not carry one now—and said to Kelso:

"I expect we'll have to borrow a couple of horses from you."

Kelso turned pale. He had but the two horses.

"I'm only a poor man—" he began.

"D— you, get out the horses," roared Tracy, turning the gun on the man.

The unfortunate farmer led them to the stable and led out a couple of horses. Merrill threw a couple of saddles that hung on a peg over the animals' backs. As the bandits mounted Kelso made a despairing gesture. Tracy pointed his gun at him but something stayed the finger that rested on the trigger. Kelso shrank back and threw up one hand. His wife, standing at the back door of the house, screamed.

Tracy and Merrill rode away. They had not proceeded a hundred yards when Tracy pulled up and said:

"What's the use of taking these old skates from that fellow?" referring to the horses.

"I was thinking about that," replied Dave.

The two turned around, rode back into the farm-yard, got off the horses and turned them loose. Kelso had betaken himself to the woods when he saw the bandits returning, thinking they purposed killing him. Tracy laughed good naturedly as he noticed the man running. The woman came out and tried to thank them.

"That's all right," said Tracy, "we can't lose anyway."



A mile farther north on the road the men saw a man driving a team attached to a buggy toward them.

"This looks pretty good," remarked Tracy. Without further words they stationed themselves beside the road.

In the buggy was a rotund and rosy old man, well known in the country for the extent of his wealth and the number of farms and acres of timber he owned. The bandits did not know the man nor did they know anything about his wealth. They had been cursing themselves for fools in giving up the horses they took from Kelso and there was little chance of another victim meeting with any consideration at their hands.

"Halt, and don't choke." The latter part of the command was not uncalled for. At the word of command uttered in the tone of ferocity that Tracy habitually used, old man Martin had turned purple. But at the sight of Tracy's rifle and the two guns in the hands of the other bandit he instinctively pulled up the horses. The spirited animals swerved at the sight of the man and were very near upsetting the buggy. Tracy caught the nigh horse by the bridle.

"It's a shame to make an old fellow like you walk," said Tracy, "but you look as though some exercise might do you good. Just jump out." He made a motion with his rifle and Martin obeyed the command with some alacrity.

"It's too bad you're not going in our direction, we might give you a lift," said Tracy, "but it looks as though it was up to you to walk."

"You're Tracy," said Martin, who recovered his breath as he viewed the prospect of losing his blooded team.

"Yes I'm Tracy, let me introduce my friend Mr. Merrill." Dave bowed with mock solemnity.

"Well now, you seem to have some sense," said Martin, "and I'll make a deal with you. You send that team back when you get to the river—I suppose that's where you're heading for—and I'll send you a check."

Tracy and Merrill were astonished by the proposition.

"Well, you've got nerve," said Merrill.

"Oh, I've been stuck up before."

"Well this is going to be a new experience for you anyway," said Tracy. "How much have you got on you?"

"Bout seventy-five dollars," said Martin.

"Watch any good?"

"Not much," said Martin producing a silver watch.

"I'll tell you what I'll do," said Tracy, "I'll let you drive the hottest pair of young fellows in these parts to the Columbia river and only charge you seventy-five for the privilege—and you can have your team."

"It's a go," replied Martin promptly.

"And if you happen to bat an eye when we pass a house remember that your slats are not bullet proof and both Dave and I will plug you."

"I'm old enough to have sense," returned Martin. He handed over the money. The bandits stepped into the buggy, he climbed in and forced himself into a

seat between them, and in this fashion the ill-assorted trio reached the banks of the Columbia river in the early evening. Tracy kept his word and sent old Martin away safe with his horses.

"There's God's country over there," said Merrill, pointing to the Washington bank of the river, just visible in the gloom.

"If it is I don't see what you and I want over there," said Tracy.

In the gathering darkness they wandered along the bank of the river, keeping a sharp lookout. The wind was blowing a gale and there was the promise of an ugly night in the sky. In the timber on the river bank they came upon a little cabin. Fastened to a little wharf extending into the water was a yawl boat in which a mast had been stopped.

"Put there for us—to take us to God's country," said Tracy pointing to the boat.

The waves were rolling high on the river. Neither of the men knew anything about handling a boat.

"Maybe there's somebody in the house," said Merrill.

Without waiting to knock, Tracy beat the crazy door of the shanty in with the butt of his rifle. A frightened cry announced that the place was occupied and presently they made out that somebody was begging for his life in totally unintelligible English. Merrill struck a light.

Crouched in the middle of the room was a little Japanese in a ludicrous costume. He had tumbled out of bed and only desired that he might be spared by the very excellent gentlemen who had honored his

wretched abode. Tracy kicked him into an upright position and made the Jap understand that no harm would come to him if he would take the honorable gentlemen across the river and do it in a hurry. The Jap looked out and protested that it was impossible.

"Stop chinning, and hurry," said Tracy. At the moment he caught sight of a bottle of Canadian standing upon a shelf. Intemperance made no part of Tracy's faults ordinarily, but he was in an ugly mood. He knocked the neck off the bottle and poured out a cupful of the liquor.

"Have a drink," he said to Merrill. Dave refused.

"There's something the matter with you," remarked Tracy in an ugly tone, "and you had better get over it." Merrill made no reply and Tracy drank again.

He compelled the Japanese, who was frightened speechless by the terrifying figure and ferocious tone of the man, to hoist the sail of his little fishing boat. Tracy took the helm, Merrill crouched in the bow and the fisherman—the only one of the three who knew anything of the management of a boat, sat on a thwart amid ship.

And in this fashion they crossed the Columbia. A hundred times the little craft was almost swamped and the appeals of the Jap brought on him threats of instant death from Tracy if he did not shut up.

Merrill sat gloomily silent in the bow of the boat. Perhaps he hoped that the boat might founder and end his miserable existence.

While death was in the air and the waves dashed over them, Tracy sat at the tiller and joked. That they finally were thrown out on the Washington shore was due solely to the fact that the wind blew in that direction.



CHAPTER XXIII.

IN WASHINGTON—BLOODHOUNDS AT FAULT—SHERIFF
BERT BLESCHER IS SHOT.

Merrill was filled with the idea that they would have less trouble in getting away from pursuit in the country near Vancouver because he knew it all.

Tracy was for turning west and making for the wilderness at the foot of the Cascades where it was almost certain they might defy the officers of the law. The men quarrelled about this repeatedly that Sunday, their first day in the northern state.

"This country is as thick with men as Portland is. Let's duck for the timber," said Tracy.

"Come with me," insisted Merrill, "or let me go. I have friends here."

"No, you can't lose me," returned Tracy viciously. "You and I are going to travel together, and we're going to travel on the square." He was afraid that Merrill might compound with the authorities and give him up.

If Merrill had the impression that it was going to be easier traveling for them in Washington he was mistaken. The border counties of the state were aroused. The rewards held good in Washington, it was supposed, and every man who had nerve, or thought he had nerve, was engaged in the man hunt.

Before they had been on the Washington side of the river three hours their presence was known. Sunday morning they arrived at a farmhouse while the people were away at church. They leisurely cooked some food, ransacked the place, found some money and clothing, bathed and shaved themselves and made off unmolested.

They stopped at another farmhouse, also unoccupied, but did not enter the dwelling. In the stable they found a couple of horses, but only one saddle. They mounted and made off, keeping to the country road.

About a mile from the house they met a man and woman with their two children walking. The woman and children fled at sight of the bandits, the man stood his ground.

"I suppose you know that they're my horses," he said, pointing to their steeds.

"I didn't know," said Tracy. "They might have been, but they are ours now."

"You might have helped yourself to somebody else's stock. I can't spare them."

"Only horses you've got?" asked Merrill.

"Yes. I wanted to let them rest and we walked to church."

"I guess we can get along without them, Dave," said Tracy. They dismounted and handed over the horses.

"Tell the kids Harry Tracy and Dave Merrill don't want to eat them," said Tracy, pointing to the timber where the little ones could be seen peering out.

The man mounted one of the horses and rode about

alarming the country and sending word of the arrival of the bandits to the sheriff.

Posses in the form of neighborhood clubs had already been formed in anticipation of the coming of the bandits. Farmers and the men living in little towns had formed syndicates with the object of hunting the bandits and dividing the rewards in case of their capture.

That same afternoon one enterprising native, who had a couple of hounds, took his dogs out and put them on the track of the bandits at the point where they gave up the stolen horses. It was a fortunate thing for the pursued—and possibly for the pursuers—that Tracy and Merrill were on foot.

The dogs were followed by a numerous party of well-armed men. The men were lying under some trees on a knoll that afternoon late when they heard the baying of hounds, Tracy had heard the sound before.

"Bloodhounds," he ejaculated, "by G—." They soon descried a dozen mounted men following the hounds along the road they had followed.

Without hurrying they would not have moved at all but stopped and gave battle to the pursuers if Tracy could have had his way—they crossed the high ground to where a slough or swamp filled with rushes could be made out in a valley.

Tracy waded into the slough, Merrill following. The pursuers were in sight and Tracy wanted to take a shot at them but Merrill dissuaded him.

Stepping from one peaty hummock in the swamp to

another they made their way along for a mile. Then wading to the shore on a log they caught the branches of a tree, swung themselves into it and dropped on dry land, having first taken off their shoes.

The hounds lost the scent in the water and that party lost all chance of fingering the reward.

The following Tuesday the fugitives—though their progress was rather leisurely to admit of that description being applied to them—were lying beside a deserted log house sleeping when they had a narrow escape from being surprised.

Tracy's cat-like senses saved them. He sat bolt upright as the sound of hoof beats came to them.

The place they had chosen to rest in was at the end of an almost obliterated trail at the top of a little valley. They had taken some chickens from a farmyard a few hours earlier and had cooked and eaten them. They had made no attempt to hide their trail and when Sheriff Bert Blescher and four other mounted men followed them it was not difficult to trace the bandits. Had the pursuers taken the necessary precautions for a quiet approach they might have escaped the ambuscade that Tracy prepared.

As it was the bandits were hidden by the side of the log house and quite ready when the party arrived within a hundred yards. Tracy allowed the party to approach within fifty yards. The trail was rugged and narrow and the men were riding three abreast, Blescher in the middle of the front rank.

"I'll take the fellow in the middle, you get the one on

the right," remarked the elder bandit, as coolly as though he were ordering a meal.

"Hail 'em first," said Dave.

"Your liver is bleaching," said Tracy with a sneer, but he stood up and shouted:

"Halt."

At the command the horses of the members of the posse reared and turned. The men were rattled. As they turned Tracy lost command of himself and fired. They could not see Tracy, even if he had been facing them. At the first shot Blescher fell and at the same instant his horse stumbled.

There was a hail of shot and the four members of the posse could not, or did not try to control their horses. They raced back down the trail leaving Blescher.

The timber was heavy and Tracy did not try to see what the effect of his work was but, urged by Merrill, turned and made off in the timber.

Blescher was picked up later by his own party. His wound put him out of the hunt.

CHAPTER XXIV.

IN SOCIETY—A CHESTERFIELDIAN HORSETHIEF—RESTING—OUTWITTING A POSSE.

“Good evening, ladies.”

Two women, one elderly, the other young and good-looking, turned sharply at the salutation. They were sitting on the porch of a farmhouse near Ridgefield and had not noticed the approach of any one. As they turned they saw a tall, well built man, dressed in a short coat, negligee shirt and wearing his trousers tucked into his boots. A short moustache of but a few days' growth shaded his upper lip. His eyes were clear and laughing. His hair was just long enough to wave slightly but was unkempt. He held a broad brimmed hat in his hand. There was nothing in the man's appearance to inspire terror except for the fact that he carried a Winchester in his left hand and two revolver butts peeped from his belt. The women arose hurriedly.

“Good evening,” said the younger one.

“My friend and I—he is bashful and staid out back of the house—thought perhaps you would be good enough to give us a meal. We are travelers.”

“You are Harry Tracy,” said the younger of the two women.

“I don't know whether to feel flattered or not, but

I could not tell you a lie," he bowed awkwardly, "I am Tracy."

"O-o-o-h," shrieked the elder woman.

"Keep still mother, he won't hurt us," said the girl. Tracy laughed.

"I must have an awful reputation if the sight of me is enough to send your mother into hysterics. Let us be comfortable for once and then when we are gone you can send your pa after us."

"We are not policemen," said the girl, throwing up her head.

"I beg your pardon," rejoined the bandit. "I was only joking and was very sure that I need fear nothing from you. And now are we to have that invitation to supper or will that bashful friend of mine be compelled to go and rob a hen roost?"

"Certainly, sir," said the trembling elderly woman. She went into the house to prepare a meal and found Merrill sitting moodily in the kitchen. He answered roughly when she spoke to him and the woman went quietly at work getting the meal.

Tracy was almost merry as they sat at the table. They ate ravenously as a matter, of course, even Tracy's assumed good manners could not restrain them. The mother called the girl out of the room presently and Merrill said:

"You'd better watch your friends, they've probably gone out to get help."

"They'd have to get a whole lot of help to drive me away from this," answered Tracy. "Besides, that girl wouldn't move a step to have us taken—at least to have me taken. I don't think she's struck on you."

"There's a couple of good horses in the stable and some saddles," remarked Dave. "I suppose your good manners will not allow you to take them."

"I'll pay for them," said Harry.

"Now, Miss E-r-r—what is your name?" Harry said to the girl, who stood outside.

"Walters," she replied.

"Well, Miss Walters, I want to thank you for that excellent meal but I'm afraid you won't think me sincere when I tell you that my friend here insists on borrowing a couple of your father's horses."

"A horse thief, too," said the girl boldly.

"Well I might be if necessary but I'm going to leave a deposit with you for the return of the horses." He took a small roll of bills from his pocket,—part of what they had taken from Martin—and drew out a ten dollar bill. "I won't take the horses far and they will be returned to you—I give you my word."

"I don't know about your word," said the girl.

"Then I'm afraid the money will have to speak for me," said Tracy. Merrill led the horses out saddled. The elderly woman began crying.

"I wouldn't take the horses but I can't help it," said Tracy, "but I'll see that they come back if I have to bring them myself." They jumped into the saddles, Tracy raised his hat, Dave sat unmoved.

"Good evening," said the desperado. "I'm sorry I can't leave you with a better impression of us." The girl turned away without answering.

"Seems good to be decent, once in a while, don't it

Dave," said Tracy, presently. Merrill grunted. Tracy looked hard at him.

"I think," he said slowly, that you and I are going to have trouble, Dave," he said after a while. The other made no response.

They rode the horses hard all that night. The next morning they left them tied by the roadside and on the saddle of one was this note:

"Return these horses to Walters' place, near Ridgefield, and receive ten dollars reward."

With incredible cunning the men avoided the innumerable posses on the roads and that evening turned off to a lonesome looking shanty just visible in the timber. The place had been occupied by a homesteader, who was absent. It contained some scant furniture and cooking utensils. Here they remained quiet for four days, while the officers were scouring the country looking for them.

Tracy walked into Lacenter one day and bought supplies but was not recognized.

They started north again, stealing two horses out of a barn near Lacenter. From a house they took a rifle and some ammunition, while the owner was away.

Traveling through a thickly settled country they so completely kept out of sight that it was thought they had gone east towards the Cascades. They were recognized near Chevalis on the morning of June 29, and a posse sent after them.

Twenty men surrounded a thick bunch of timber in which the bandits were hiding, but the members

of the posse hesitated to approach, with the exception of one man.

His name was Warner. He pushed into the timber and came suddenly upon the outlaws. He was greeted with a volley of bullets, and turning, fled. His friends in ambush saw his coming, and thinking the desperadoes were trying to rush their line they fired on Warner. The man escaped the bullets of the outlaws but was shot by his friends.

During the night Tracy and Merrill left their horses in the woods and crept through the line of men watching them—there were fifty in the cordon by this time—made their way to a farmhouse a mile away, stole fresh horses and rode off to the north.

CHAPTER XXV.

A QUARREL—THE DUEL—A DASTARD SHOT—THE DEATH OF MERRILL.

Two men stood on the track of the Northern Pacific railroad near the little town of Tenino in the early morning of July 1.

They were travel worn and desperate looking. Both carried rifles. Not a man or woman in the country for a hundred miles about would have recognized them for Tracy and Merrill, whose audacity had kept every farmer and small store-keeper on the qui vive for three weeks.

But the fullness of time had brought its revenge and the day of doom had come for one of them.

Dave Merrill's face was gray in the morning light.

"I tell you," he was saying, "that I am not going into that town and that I am tired of being hunted as though I were a dog."

"Well, you are a dog—a cur, too, I think," said Tracy.

"We would be better off if we were separated," said Merrill. "Single handed we might have a chance to get out of the country but I don't think you want to get away."

"I don't. I'll make some of those curs that are

chasing me wish they had never been born. I won't be taken and I'll make the state of Washington remember Harry Tracy as long as history is read."

"Then you can do it alone," said Merrill.

"Here comes a train, let's get out of this." In silence they left the track, and passed into the timber for a mile, they continued on in a way that would bring them around Tenino by making a detour.

Tracy, who had remained persistently behind the other, stopped as they came to an opening in the forest. It was on the side of an elevation but the ground was comparatively level. A few logs lying about showed that the lumbermen had been busy the previous winter.

Tracy sat down on a log with his rifle across his knees. Merrill rested a few feet away. The sun was coming up over the trees and the morning air was heavy with a humid heat. Merrill shivered in spite of the heat.

"What are you thinking of," asked Tracy.

"Of what we were talking. I tell you I am going to give it up."

"You want to get over to Seattle and make a deal with Cudihee, I suppose." Cudihee was the most energetic sheriff in the country, and the only one for whom Tracy had any respect—fear he did not feel.

"You have no reason for thinking anything of the kind," said Merrill. "D—— you, I'm as square as

you are. If I'd never seen you I wouldn't have been in this fix."

"No, and if I hadn't been along you would still have been rotting in the pen."

"I wish to God I was there now."

"Well, you ain't there, and you've got to stick to me, or—" the pause contained a menace that Merrill felt.

"Or I suppose you'll take a shot at me," he concluded.

"Well, yes, if you like." He fingered the trigger of his rifle.

"I tell you we'd better divide up," said Merrill, sullenly.

Tracy eyed him for a minute. Then he said, very calmly:

"If you don't get me I'll get you. Let's settle it now."

Merrill looked up eagerly.

"You mean split."

"I mean that only one of us will leave this place."

They both stood up. Merrill's face was ghastly; Tracy was unperturbed, as though he proposed to steal a horse.

"What chance would I have with you?" he said trembling.

"I'll make it an even break. Come out here in the sun, stand back to back. Cock your rifle, I will mine, walk ten paces and turn and shoot."

"My God, Harry, I can't do that."

"If you don't I'll blow your block off where you stand."

Merrill stepped out to where his companion in crime stood.

Tracy said afterwards that he intended to give Merrill an even chance. He admitted that he only took the advantage that he did because he expected surely that Merrill would.

"This is on the square, so help you God," faltered Dave.

"Yes, are you ready? They stood back to back. Each carried his rifle in the right hand, the muzzle down, the weapon cocked.

"One, two, three," counted Tracy. At the word three he strode off on the left foot, Merrill did the same.

Who can tell what thoughts filled the minds of the men as they paced off on that awful march to death. Tracy counting the steps aloud. What was in the mind of Merrill? Did he contemplate treachery, was the ascendancy of the other so complete that he feared to execute what he contemplated?

Tracy's keen ears were strained to hear the footsteps of the other.

"Six, seven," he counted slowly.

"Eight," he said calmly.

Then like a flash he turned. The movement brought his rifle up on a straight line. He fired from his side, with the right hand clasping his gun.

Merrill gave a frightful shriek, threw his hands up, dropped his gun and fell on his back.

Tracy ran to give him a finishing shot if necessary. It was not needed. The death rattle was in Merrill's throat. The sun shone in his unseeing eyes, but he felt the presence of his executioner. Tracy pointed the gun at his head but hesitated.

"You cur," said the dying man, "you treacherous cur. Curse—." He gasped and was dead. Tracy waited for a moment, then with the muzzle of his rifle he straightened out one of the dead man's legs, which was bent under him.

He stepped back from the body and looked at the corpse.

"I thought that would have to be the finish," he said. And turning he stepped out of the sunlight and disappeared in the darkness of the forest.

CHAPTER XXVI.

STEALING RELAYS OF HORSES—SIX MEN HELD UP—
TRACY TURNS PIRATE AND CAPTURES A LAUNCH.

There was nothing in Tracy's manner to indicate that he had left that dread object lying with eyes staring into the sky, behind him in the woods when, twenty minutes after shooting Merrill, the bandit emerged from the woods onto the road beside the Northern Pacific tracks, just outside of Tenino, and stopped a passing horseman.

His manner was careless, even debonair as he threw his rifle into position over the hollow of his arm and commanded the horseman to halt.

"I don't know who you are," said Tracy, "but I need that horse. You duck."

The bandit's manner left no room for argument and the rider dismounted.

"Got any change about you?" Tracy said.

The man who was a farm hand, said with trembling lips that he had not. Tracy thrust his rifle barrel against the man's chest, pushing him out of the way, then mounted and rode north.

That same afternoon he stopped a man in a buggy driving a horse and stopped him with a careless: "I need that horse. Unhitch."

The man gave some sign of resisting and Tracy

fired a shot from a revolver through the back of the seat against which he was leaning. There was no more difficulty, and under the bandit's direction, the driver unhitched his horse, which was fresh, and Tracy exchanged with him.

All Olympia was talking of or looking for Tracy that night, when the murderer arrived in the town.

He turned his horse loose in the suburbs and walked through the town, stopping at several saloons and taking as many drinks and went on unmolested to the southern suburbs. He slept in a barn that night, but something aroused him before daylight and he walked down to South Bay. On the shore of the bay a half dozen men in the employ of the Capital City Oyster company were at work, having just turned out.

In a tent two men were at work getting breakfast for the rest. A few feet away a gasoline launch was tied to the wharf.

Tracy's coming was rather unnoticed, or no attention was paid to him, for he was standing beside the tent, the sides of which were rolled up, when he spoke first.

"Sorry to interfere with the game, boys, but I suppose I'll have to line you up. I'm Tracy."

At the mention of the name the men threw up their hands with one accord and he made them stand in line, facing the tent.

"Breakfast ready?" he inquired of one of the cooks.

"Not quite," the man said.

"Well there's no use of starving you fellows, and I'm hungry myself, so you'd better come and finish up."

The robber sat down at the end of the mess table within the tent, where he had the standing line easily under command, and while the cook was putting the food on the table, joked with Captain Clark, who was in charge of the oyster men. As he sat down to breakfast he laid his rifle across his knees and said:

"There's no use of you fellows being uncomfortable. You might as well put your hands down. I don't suppose there's a gun in the bunch?"

He ate voraciously and when he had finished went outside and ordered the men to go and take their breakfasts.

"You better make it a good one," he said. "We're going on a long cruise."

Breakfast over, he took his place in the bow of the launch and after ordering Captain Clark to tie up two of the men and put them in the tent, the other four, including Clark, he ordered to take seats in the stern of the launch, and added:

"Now Cap, you lay your course for Tacoma. I'm going to drop in and see the sheriff there."

The engine was started and the boat got under way.

Tracy's mood changed frequently during the day. He kept up a running conversation with Clark and the other men, but at times became so threatening in his aspect that the men were terrified lest he should take it into his head to scuttle the launch.

"If it wasn't too much trouble to run this d—— thing," he said, "I'd just put you fellows out of the way to prevent you talking when we get ashore."

Captain Clark humored the man by his ready wit and undoubtedly avoided a wholesale butchery. On one occasion the engine got out of order and Tracy apparently forgetting the fact that he might be seized and overpowered by numbers, good naturedly went to work with the men and fixed it. So thoroughly had he cowed them, however, that no attempt was made to seize the pirate.

It was getting late as the boat neared McNeil's island, where the Washington prison is located, but the guards upon the frowning walls could be made out easily enough.

"Run in close to the island, Cap," Tracy commanded, "I want to take a shot at one of those guards."

"What's the use, Tracy," said Clark, "They've got more ammunition than you have. And they might turn loose with a rapid-fire gun."

"That's so," acquiesced the desperado, "and by the way, I guess I'll go on to Seattle."

The course of the launch was changed but they were making too much headway and Tracy ordered several stops.

"I don't want to get in before dark," he said.

It was after dark when they landed on the beach a few miles north of the city. Making the men step ashore first, Tracy called out to Frank Scott, one of the crew:

"I'll have to ask you to tie up your pals here. Sorry

to do it, Cap," he added, addressing Clark. "You've been pretty decent with me and I'll try to square myself some day, but I don't want you to beat me into Seattle."

He examined the knots tied by Scott and then remarked:

"I guess I'll need you, Frank, come along with me," and he made the man go before him as far as the railroad track.

"I'm ashamed of myself to be so chicken-hearted," he said, "but I'm going to turn you loose," and he sent Scott back to the launch.

Within an hour the authorities of Seattle were informed by Captain Clark of the arrival of Tracy. Sheriff John Cudihee, a fearless and capable officer, had declared that if Tracy ever landed in Kings county in which Seattle is situated, that he would get him. Cudihee was absent when the news arrived, but Deputy Sheriff Jack Williams at once collected a number of deputies and started to look for Tracy's trail.

CHAPTER XXVII.

THE BATTLE OF BOTHELL—TRACY AGAINST A POSSE—
KILLS TWO MEN, WOUNDS TWO, AND ESCAPES.

In the party that started out with Jack Williams looking for Tracy's trail that night, there were six men who knew how and were not afraid to fight and two who were determined to be in at the death—and they assumed there would be a death. The latter two were reporters, Carl Anderson and Louis Seefrit.

Williams himself had had plenty of experience as an officer in border fights and could shoot straight and fast. Among his deputies was Charles Raymond, of Snohomish county, another man who had seen fighting on the frontier, both with toughs and Indians. Two police officers and two other deputies made up the posse proper, and they were followed by a number of stragglers willing to take a chance in getting part of the reward offered for the killing or capture of the outlaw.

They found the bandit's trail three miles north of Seattle and by daylight the next morning knew they were somewhere close to him. Early in the morning he stopped a boy on the road and sent him into Seattle to procure ammunition for his Winchester, but was obliged to take to the timber before the messenger returned.

Tracy procured breakfast at a house near Bothell and word was got to Williams' party that he was making his way north.

At two o'clock in the afternoon the posse emerging from the suburban town of Bothell, on a northern road, were surprised by a shot from the heart of a piece of waste land covered with scrub timber and tall weeds.

With the exception of Williams, Raymond and another man, the members of the pursuing party dismounted.

Williams stood up in his stirrups and called out:

"You'd better surrender, Tracy. We've got you rounded up this time."

For answer Tracy stood up, his head being visible above the weeds and fired at Williams, who had his rifle presented for instant action. The bullet struck the rifle barrel and deflected, hitting Williams in the breast and penetrating his lung. He fell from his horse and died a few days later.

The members of the posse fired a volley at the spot where Tracy had been standing, but the bandit moved about with incredible rapidity, his rifle almost constantly in action and the reports coming from widely divergent spots.

"The fellow shoots like a company in skirmish," remarked Seefrit, one of the reporters. At the instant a bullet struck him in the shoulder and put him out of the engagement.

Raymond, who remained mounted, was firing rapidly at the smoke of Tracy's shots. He hoped to get a sight of the outlaw and plant a bullet that would be

effective. His temerity cost him his life, for Tracy, rising out of the shrubbery within a score of yards of the deputy, shot him through the head, then turned and wounded Anderson, who had taken a position in plain sight where he could view the combat.

The number of casualties, the unerring accuracy of the bandit's aim, had a shilling effect upon the attacking party and the members drew off to take care of their wounded.

Taking advantage of the lull, the outlaw, at whom more than 100 shots had been fired in vain, crept off through the weeds and escaped unscathed.

When the report of the battle and its results reached Tacoma, Sheriff Cudihee made up his mind that Tracy should not be allowed to get away from the neighborhood of Seattle.

He wired the facts briefly to Governor McBride, who promptly placed the state militia at the disposal of the sheriff and offered a reward of \$5,000 for the capture of Tracy, dead or alive.

Cudihee was more nearly a match for Tracy than any of the numerous men who had started to effect his capture or kill the outlaw. Cunning in the wiles of frontier warfare, fearless to a degree, a dead shot and capable of dealing with the desperado on his own terms and on his own ground, it was to be expected that the Seattle sheriff would give a good account of himself.

Taking two men with him he found Tracy's trail and followed it in the direction of Freemont. Here he met with awkward interference on the part of the

local police, who insisted on attaching themselves to his posse. Policemen Breez and Rawley joined the sheriff in spite of his protests.

"We know the fellow and we'll get him. He's at Van Horn's house," Breez said.

As a matter of fact the outlaw had taken possession of a house belonging to a Mrs. Van Horn, standing in the midst of an isolated farm. Surrounding a clearing in which the house was located was a belt of dense timber. Mrs. Van Horn was alone in the house when Tracy arrived, and terrified by the threats of the bandit had provided him with food and he was still there when Cudihee arrived.

The sheriff was driving in a buggy and behind him, on foot, came policemen Breez and Rawley.

"You fellows'll get your heads blown off if he gets a shot at you. You'd better let me deal with him," said Sheriff Cudihee.

The men said they would, and hid themselves near the edge of the timber. Cudihee drove about a hundred yards past the house, until his vehicle was hidden by the timber, then got down and crept back.

He had supposed that Tracy was alone with Mrs. Van Horn in the house, but, fortune favoring the outlaw, as usual, two farm hands had arrived a few minutes before the coming of the posse.

Tracy was not blind to what was going on and did not want to be trapped in the building.

Cudihee lay concealed one hundred yards or so from the front door of the house when Tracy came

out with a man on each side of him. The outlaw carried his rifle ready for action.

Cudihee maneuvered to get the drop on Tracy before showing himself and was already in position to get his man when Rawley and Breez dashed out of the timber and shouted in unison:

“Throw up your hands, Tracy.”

Before the sound had died away both men were stretched on the ground with bullets in their brains.

With that frightful certainty of aim that was one of his most distinguished characteristics, Tracy had killed both of them in the same instant.

His movements had disconcerted the aim of the sheriff and Tracy, dodging about and keeping the farm hands close beside him, made it impossible for Cudihee to get a fair shot at him before he reached the timber. The men who had been shielding Tracy at last threw themselves on the ground in response to the command of Cudihee and a volley of shots followed Tracy into the thick covert of timber.

In the uproar following the death of the two men and the miscellaneous fire Tracy again made good his escape.

CHAPTER XXVIII.

A STRENUOUS FOURTH OF JULY—TRACY AGAIN BREAKS
THROUGH A CORDON OF MILITIA—HOLDS UP
THE JOHNSON FAMILY.

The celebration of Independence Day in Washington did not lack for excitement, though some hundred of citizens were deprived of the ordinary pleasures of the day by reason of the disturbed state of public feeling, caused by the pursuit of Tracy.

One hundred members of the National Guard were taken into the field to effect the capture of the desperado. His movements were so rapid and uncertain that it was almost impossible to follow them, but the troops, stationed across a stretch of country, into which Tracy was being driven by Sheriff Cudihee and his men, formed what was thought to be an impassable barrier to the bandit's progress.

Cudihee's hunt had become systematic. Deploying men on each side for considerable distance, he put a pack of blood hounds on Tracy's trail.

The trail was picked up fresh on the morning of the Fourth at a farmhouse where the outlaw had stopped and commanded breakfast.

At that time the pursuers were not more than an

hour behind Tracy and the hounds took readily enough to the scent.

The country was wooded and dry, and, although the quarry could plainly hear the dogs, he found no opportunity to destroy the scent by taking to swamp or stream.

He moved rapidly and was not caught sight of although the hounds were keen on the trail, until eleven o'clock, when they suddenly gave up the scent and refused to work.

His devilish cunning had led the fugitive to the one means of safety. He passed close to a farmhouse in the doorway of which a woman was standing.

Dashing up to the door he thrust the frightened woman aside, went into the kitchen and said:

"Have you any pepper?"

The woman pointed to a shelf on the wall and Tracy seized upon a can of red pepper. Running to the roadway, which was dry and hard, he walked rapidly along, scattering the pepper in his tracks at intervals. Then, taking to the timber, he worked his way to the west and stopping a straggling member of one of the posse, disarmed and dismounted the man and took his horse.

Towards evening he caught sight of the uniforms of the militiamen who barred his path. Guessing that his escape would be cut off to the right or left, he made up his mind to essay one of those dramatic climaxes which he was fond of indulging in, and break through the military line. He no

longer heard the dogs, who had left the trail when they found it hot with pepper; and he concealed himself to wait for darkness.

Leading his horse in the dark, he made his way cautiously to within a few yards of the line of guards. Then making a tremendous row by shouting and shooting he frightened the horse into a mad run in the direction of the soldiers.

They, alert and anticipating a dash from the robber, riddled the horse with bullets, many of them running to the scene of the disturbance and leaving a break in the line through which Tracy easily made his way without opposition.

Reaching the shore he was looking about for a boat when another Japanese fisherman had the misfortune to meet him. Tracy promptly held him up and compelled him to get a boat and row him across the Sound to Port Madison.

John Johnson and his family, including a hired man named John Anderson, were at breakfast the next morning when a mud-covered figure appeared at the door and, thrusting a rifle into the room, commanded the family, roughly, to leave the table.

Directing Anderson to take a cord and tie Johnson's hands, the intruder then ordered the woman and children out of doors and seated himself at the table.

Tracy, for it was he, spent the entire day at the Johnson house, resting and planning his further progress. He compelled Anderson to bring out all of Johnson's clothing and his own and selected a

fresh supply for himself. Incidentally he bathed and shaved himself, and stole four watches.

Tracy was in good humor when he left Johnson's house that night. He had studied the situation and felt that his hope of escape lay in reaching the mainland and getting to the interior as fast as possible.

"Anderson," he said, "how'd you like to hire out to me?"

Anderson, who was a big Swede and who lived in such a remote district that the fame of Tracy had not reached it, not knowing his visitor, said:

"Ay tank ay got pooty good yob here," and grinned.

"Well, I think you'll get another yob," said Tracy. "Come along with me."

Anderson protested and Tracy hit him brutally over the head with the barrel of his rifle. That was all the conquering Anderson needed. He found a boat and rowed Tracy over to the mainland, in the direction of Seattle.

The waters about Seattle were full of tugs and steamers carrying scores of deputies and volunteers, looking for traces of the bandit. Even a United States revenue cutter had been pressed into service and the water front was alive with men, engaged in that most exciting of pursuits—a man hunt.

On reaching the shore near Seattle, Tracy made his way to the timber, keeping Anderson with him, though for what purpose is not known.

That night he tied the unfortunate Swede in an upright position to a tree.

It was uncomfortable for Anderson but Tracy slept.

In the morning Tracy released Anderson, hid his rifle and started on a detour that would carry him around Seattle. For three days he kept Anderson with him, the two being frequently seen. Wearing as he did, the clothes he had taken from Johnson's house, his face recently shaved, there was nothing in Tracy's appearance to suggest the bedraggled and desperate looking outlaw he was when last seen by his pursuers on the mainland. Scores of people saw the two men and they stopped at many houses where Tracy paid for food.

CHAPTER XXIX.

A WANTON SHOT—THE CAPTURE OF THE JERROLD'S.

Tracy was first recognized by those who were seeking for his life in the neighborhood of Renton, south of Seattle.

He held up a man in the outskirts of Renton and got into conversation with him. The man had no money but Tracy took a Seattle paper from him and read there that he was being hunted by some hundreds of men and the sheriffs of Kitsap, Kings, Pierce, Snohomish and Jefferson counties.

He found that he had unwittingly passed through posses which lined every road, and the members of which believed that the entire country was so protected that it would be impossible for him to return to the mainland without being captured.

He read that the revenue cutter, Grant, and the government launch, Scout, had been loaded with men picked for service in the woods and expected to land them for work in the wilds of Kitsap county.

"That helps some," Tracy remarked. "I don't think I have any immediate business in Kitsap county. I can see where I need a gun. Have you got a gun?" he asked the man. The man stupidly

said that a neighbor of his who lived a few hundred yards up the road had a rifle.

"Show me the place," said Tracy. Forcing Anderson to go with him he made the Rentonite to knock at the door and when it was opened led his captives in. The rifle he wanted was hanging on the wall and there was a pile of cartridges on a shelf. Without waiting to draw a weapon Tracy walked to the wall and took down the rifle and helped himself to the cartridges.

The owner of the house attempted to interfere and was knocked down. Tracy led Anderson out into the darkness and disappeared.

Tracy told Anderson he was looking for trouble. The farm hand plead with him for his liberty and the bandit told him he would show him something of life. They were walking along by the side of the railroad track in the early morning when a man appeared walking along the track carrying a rifle. Tracy at once stepped out on the track and met the man face to face.

"Heard anything of Tracy!" asked the stranger.

"Not a line," said Tracy. "Whose outfit do you belong to?"

"Cudihee's."

"Well, good luck." The amateur thief hunter went on down the track. He had gone about a hundred yards when it occurred to Tracy that he ought to have a shot at him. He drew a revolver and fired one shot. It missed the deputy and he

looked around. Tracy was aiming to fire another shot and the deputy fled to the woods.

Just before noon Tracy and Anderson saw two women picking berries in the woods. Tracy addressed the women pleasantly and asked them if they lived in the neighborhood. The younger one, Miss May Baker, of Seattle, answered:

"I don't know that it's any of your business where we live."

Her companion was Mrs. McKinney, also of Seattle.

"Now I hope you ladies are going to be pleasant," said Tracy; "because I'm going to ask you to lead us to the nearest house."

There was something menacing in his tone and the women, followed by Anderson, Tracy bringing up the rear, made their way to a house about a mile and a half from Renton, owned by Charles Jerrold, a contractor.

The only person in the house was Thomas Jerrold, a 17-year-old boy and his mother. Driving his prisoners ahead of him, Tracy entered the kitchen of the house and told Mrs. Jerrold he had brought her some visitors and they would want something to eat. He produced a strap with which he tied Anderson's hands and seated him in a corner. The women huddled together at one side of the room and Tracy, after looking out of the door which commanded a view of the railroad tracks, called the boy outside and producing two watches, one gold and the other silver, which he had taken from the farm-

er Johnson at Port Madison, said to young Jerrold:

"Now, my name is Tracy. I want you to do an errand for me. You take these two watches, go into Seattle and pawn them. Buy two Cold revolvers, six-inch barrels, and 100 cartridges. I'll write it down. If you ain't back here by dark I'm going to cut your mother's throat."

He started the frightened boy off. Young Jerrold went into Renton and told a deputy, whom he met, that Tracy was at his house. The news was telephoned to Seattle and Cudihee's men were directed to surround the place.

CHAPTER XXX.

SAVED AGAIN BY A WOMAN—A POSSE FOILED

Tracy spent the afternoon with the three women and evidently sought to make an impression on Miss Baker, a very self-possessed young woman. He insisted that the ladies eat lunch with him, and sat where he could command a view of the railroad track. He was sitting there unmoved when a special train containing a crowd of deputies passed along the track.

"There goes a bunch looking for me," he said, smilingly. "I know they're deputies, because I recognized a red haired reporter with them."

"Then don't you think you'd better go?" said Miss Baker.

"Oh, I know they wouldn't be impolite enough to disturb me when I'm in such good company," said Tracy.

By way of making conversation Miss Baker asked him why he wore a moustache.

"Why do you ask," he inquired.

"Because I don't like a man with a moustache," she answered.

"Then I'll have to get a razor," he rejoined.

"Have you had your picture taken lately?" asked the girl.

"Well, not for about three years," he answered. "But that's because I'm modest. I've had lots of chances to have it taken, for every time I meet up with a bunch of deputies there is always a reporter ahead of the troop carrying a camera and trying to get a snap-shot. I seem to be popular."

Tracy made himself agreeable at the table and remarked as the meal was finished:

"You know I like this. It seems just like home."

"You spoiled our berry-picking," complained Miss Baker.

"Well, we'll all go berry-picking in a minute," said Tracy.

"But we'll be late in getting home," objected Miss Baker.

Tracy promised to steal the best buggy in the neighborhood and drive her home.

"I don't know about that," said Miss Baker. "I hardly think we'd enjoy the drive with deputies shooting at us."

"But surely they wouldn't be impolite enough to shoot at me when I was in the company of ladies. Besides you wouldn't mind a little thing like that, would you?"

"O no, we'd like to get killed for you—I don't think," said the girl.

While this conversation was going on the swarm of deputies coming up the track had entirely surrounded the house. Every avenue of escape seemed to be closed to the outlaw, but he sat much more

unconcerned than the women in whose company he was.

A deputy coming from the timber walked toward the open door of the house. Tracy saw him coming and stepped into another room from which he could command a view of the front room without being seen. He took Anderson with him.

"Tell him there's nobody here," he said to Miss Baker.

He stood rifle in hand where he could see her and aimed the gun deliberately at her. The girl did not falter and as the man reached the door and asked:

"Is Tracy here?" she replied:

"Why should he be here?"

The deputy turned away without making further inquiry. Tracy soon after left the house by the rear and went unnoticed down the river, having warned the women in the meantime to make no disturbance—that he would be back. The woods were full of men but he was not observed and returned in a few minutes. He had some straps with him when he came back, and, leading Anderson out of the house, he took him to a chicken coop and fastened him to a post.

He returned again to the house, bared his head, and said:

"Goodbye, ladies; I thank you. It was just like home."

He walked, crouching, down to the river and

turned into a field beside the house filled with reeds and shrubs.

When he reached the middle of the field he stood up and could be plainly seen.

The eyes of 100 deputies saw the man stand up but they all thought him a member of the posse. Crouching again he made his way to the river bank and crept silently through the underbrush. A couple of reporters standing on the railroad track, saw him and made the comment:

"There goes one of those fool deputies. Tracy'll get him."

The quiet of the summer evening was broken by the baying of the bloodhounds, which had been brought up to put on Tracy's trail, as he emerged from the brush along side of deputy sheriff who held a saddled horse.

Before the man was aware of his presence, Tracy brought the barrel of his rifle crashing down on the unfortunate man's skull. Then he mounted the horse and dashed away.

CHAPTER XXXI.

THE WOODS FULL OF DEPUTIES.

That Harry Tracy escaped death or capture that night is the greatest tribute to his cunning and knowledge of men and woodcraft. The woods were fairly full of men, every one armed and all inspired by the desire for revenge or gain, bent upon taking the life of the desperado.

Sheriff Cudihee and the sheriffs operating with him had sent not less than two hundred deputies to the neighborhood of the Jerrold house. They had almost completely encircled the place and under the direction of Deputy Sheriff McLellan every possible emergency, it was thought, had been provided for. Still he got away.

But he had not got off entirely free.

Attracted by the report that the bandit was surrounded, men were flocking to the place from all direction. Tracy rode toward Cedar Mountain and was seen by a telegraph operator who sent word to the sheriffs.

Within a half mile of Cedar Mountain, he came unexpectedly on a posse. They fired at him and shot the horse from under the desperado.

Tracy dropped behind the horse and poured such

a terrible fire into the group that the men fairly melted away, two of their number being wounded.

Again he slipped away into the forbidding darkness of the forest, which offered the only possible avenue of safety to him.

The bloodhounds were brought up and put upon the trail again. Following the hounds was a pack of men numbering nearly two hundred all of whom were even more intent upon his blood than the dogs were. Tracy told many people with whom he came in contact afterwards that the only fear he ever felt was when he heard the baying of the hounds. It made him shudder, he said.

CHAPTER XXXII.

A DASH FOR THE WILDERNESS.

He doubled about on his track and on one occasion was so close to the dogs that he only escaped by jumping a chasm, putting the brutes at fault, though the man himself was almost in sight of his pursuers and could plainly hear their voices.

Clambering over rocks he saw a light in the house of a farmer named Feek. His evident intention was to reach the house and get a horse and even this desperate intention led him to one of those strange freaks of fortune which he was always so quick to take advantage of.

As he approached the house Feek saw him and shot at him at short range. Tracy returned the fire, but did no damage. Believing it useless to attempt to get a horse from a house that was guarded he turned off down a declivity and found himself on the edge of a swamp.

With a sense of relief he plunged into the sedgy morass and presently arrived at a comparatively open body of water through which he waded. It was only by the most desperate effort that he freed himself from the clinging mud at the bottom of the swamp, but when he again reached firm ground

his trail was completely lost to the dogs and he had a fair start away from his pursuers.

Finding a horse in the pasture he improvised a bridle by tying a bit of string about the animal's jaw and was off to the east.

He had defeated Cudihee's army as completely as though he had routed the sheriff by force of numbers.

But the escape inspired Tracy with a knowledge of the certainty of death or capture if he remained in the vicinity of the coast cities.

Again he disappeared and was not heard of for two days. During that time he saw no living being, or at least, was not seen to be recognized. He suffered hunger and deprivation, even compelled himself to forego the ferocious pleasure of pitting himself against his fellow man, in the hope of getting into a less populous district.

It was near Kent that he felt impelled to secure food and additional arms. He had lost his rifle in the flight from Renton and had but one revolver.

He appeared in the doorway of the house of E. M. Johnson, near Kent about noon. He presented a frightful appearance. He had on a slouch hat, corduroy coat, canvas trousers and boots and was incrusted in mud from head to foot. The natural ferocity of his countenance shone out of the grime on his face. In his right hand he held a revolver.

Johnson and his family were at dinner.

"Get away from that table and let me eat," commanded Tracy.

The people terrified at the frightful apparition in the door, obeyed, and stepping to the table, Tracy greedily devoured what food there was in sight, Johnson, his wife and their three children looking on and anticipating the worst.

When he had appeased in some measure the pangs of hunger Tracy looked at Johnson and said in a hard tone:

"I suppose you know me. I'm Tracy. I'll tell you what I want you to do. You go into Tacoma and buy me a 45 Colt's revolver and two hundred cartridges. You ought to be back here in six hours. If you are not back, or if I see any sign that you have betrayed me I will cut the throats of that woman and those kids and set fire to the house before I leave. And remember that I keep my word. Now go."

In terrified haste Johnson saddled a horse and went away protesting that he would obey the outlaw to the letter. Tracy locked the doors of the house, called for water, washed and shaved himself, put on Johnson's best clothes and awaited the man's return, keeping the trembling woman and the children in the room with him all the time. Johnson returned within the prescribed time with the revolver and so impressed was he by the threats of the bandits that he said nothing of the occurrence until the next day.

Again Tracy disappeared and a few days later was seen near Covington. He was surrounded by a posse and instead of remaining in the woods and

fighting he boldly took to the railroad tracks, assuming that the deputies would not recognize him because of his changed appearance.

He was right, for although halted by Deputies J. A. and F. C. Bunce who inquired who he was, he replied: "I'm Anderson," and walked carelessly past. It dawned upon the Bunce brothers after he had gone that they had let Tracy slip through their hands. They fired at him with shotguns and wounded him in the back. A few minutes later he met another deputy named Crowe, who was in hiding alongside the railroad embankment.

"Who goes there," called Crowe, throwing his rifle to his shoulder.

"A deputy," replied Tracy.

Crowe lowered his rifle and walked toward the man, when Tracy drew a revolver and fired at him three times. It was the new weapon and his aim was disconcerted. Crowe was so close that the power blinded him and he fell. Tracy went on and disappeared.

A few miles further east he boarded a railroad train and rode for nearly a hundred miles without being recognized.

In the meantime the country behind him was teeming with men hunting for him. Farmers left their homes, taking with them covered wagons and camp equipage. They had made a business of hunting Tracy. In many sections farm work was entirely suspended while the hunt went on.

For weeks this remarkable state of affairs con-

tinued, the whole people engaged in the hunting down of one man who by his infernal ingenuity and ferocious qualities had terrorized a state.

Tracy was in comparative security in the eastern part of the state before it was known that he had got away from the coast country.



CHAPTER XXXIII.

AN AMATEUR SURGEON—TRACY RIDES A BIKE.

Tracy was tired of the struggle. The lust for blood and the joy of the strife departed from him when he felt the hiss of the hot shot in his flesh as he left the Bunce brothers.

He had made up his mind to reach the "Hole-in-the-Wall" country where he had assurance of meeting with kindred spirits and acquaintances among the desperate band of that desolate region.

Observing that he was attracting attention on the train, and fearing recognition he left it at a water tank and made off to the woods in a southeasterly direction. He was lost in the recesses of the forest for a couple of days but the pain from his wound and the danger that he apprehended from blood poisoning, compelled him to seek human aid.

He found a lonely woodman and told him that he had been injured by the accidental discharge of a shot gun. Removing his clothes, he gave the man—James Summers—a knife and asked him to cut the shot out of his back. Summers went after the job timidly, and Tracy cried out:

"Go on man, cut deep. You won't hurt me."

He remained with Summers for three days, but his

natural bravado got the better of his discretion and he could not refrain from telling his host who he was. The confidence proved fatal, for a few hours after he left Summers' shanty that section of the state was aroused and up in arms.

Not knowing that the pursuit was organized, again Tracy made his way slowly across the country, restraining from acts of violence. When he asked for food he was willing to pay for it and cheerfully helped his hosts at their work. A number of men, members of the posse, met him a few miles from Ellensburg and fired at him.

He was slightly wounded in the back of the head, but for some reason did not make a fight. He disappeared into the woods.

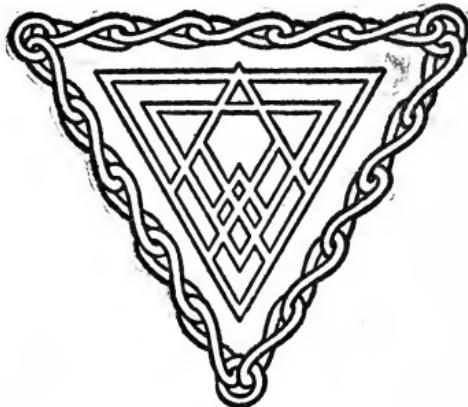
Outside of Ellensburg he met a young fellow on a bicycle and stopped him. Probably in a spirit of deviltry the bandit took the bike, saying that he wanted to see if he could still ride. The bicyclist, suspecting who the man was, was afraid to make a protest and Tracy rode through Ellensburg, stopping to buy ammunition and get a drink.

He was heard of from time to time, always alone, generally good natured, sometimes menacing, but he slew no more men.

Early in August he appeared at Govan, Washington, and was recognized. The residents, inspired by the hope of reward, organized a posse and pursued the outlaw, who made off toward Conowai Creek. He had little difficulty in eluding his pursuers and from

the remarks he made to settlers at whose houses he stopped he appeared to be rather amused at the idea that farmers could take him.

Yet the irony of fate brought about his end through just such means as this at which he laughed.



CHAPTER XXXIV

AT THE EDDY FARM—THE LAST STAND—THE BITTERNESS OF DEATH—THE OUTLAW'S END.

The little town of Creston, Washington, was thrown into a furore on the morning of August 4, when it was stated that Tracy had been seen and recognized in the suburbs. A meeting of the citizens was called at once and a posse organized which included nearly every able-bodied man in the town or neighborhood.

Tracy was not aware of the organization of this posse, or perhaps was careless of consequences, believing that he could elude the pursuers at any time.

On the morning of August 5 he walked up to the house of J. M. Eddy, a few miles from Creston, and asked for something to eat.

"I'm willing to pay for it," he said, smilingly.

Eddy's young son was with him and, though he suspected who his visitor was he said nothing, until breakfast was over, when Tracy announced himself.

"This place looks pretty good to me," he said, "I'd like to stop here."

His words were prophetic.

Eddy told him he had no employment for him and Tracy replied:

"That's all right. I just want to help."

And he did. All that day he worked about the barn, but kept Eddy and his son close to him without appearing to compel them. Tracy was coming out of the stable late in the afternoon when he saw a man peering out of the underbrush beside a field. He stepped back into the stable and watched intently, calling the farmer and his son into the place. He made out another figure in hiding, then another.

"They're after me," he said grimly, "and I think it's up to me to move."

He stepped outside and a shot rang out. Crouching he ran rapidly into a field of growing grain.

Even as he ran a number of men stood up and fired at him.

Who it was that fired the shot which brought him down, will never be known, but one bullet in that hail of lead struck him in the right leg and shattered the bone.

He sank down in the midst of the rich, growing grain and in spite of the pain he smiled and Eddy heard him call out:

"I guess that settles it."

Dragging his shattered leg after him the outlaw crawled deeper into the lush growth of grain and, balancing himself, he drew both revolvers and fired with astonishing rapidity in many directions.

His object was to create the impression among the head hunters that it was dangerous to approach him. His effort was entirely successful and no man of them all dared enter that field.

Tracy took a handkerchief from about his neck and endeavored to staunch the flow of blood from the wound in his leg but an artery had been cut and he found this impossible.

There, in the midst of a shelter provided by nature's beneficence to man, he sat in the gathering darkness and watched the life-blood spurt until the ground around him was saturated.

Who can tell what the man's thoughts were, as he felt the weakness of death creeping upon him? Was there regret for the wasted life? remorse for the crimes that bore heavily upon his guilty soul? Did he long for another day and another chance?

Perhaps in that dark hour the home in the Ozarks was in his thoughts, his mind went back to that night when he put it all behind him and left 'Genie on the brow of the hill looking down into the valley in which he had spent his boyhood.

At the end, when the loss of blood brought on the partial syncope that precedes death, the native spirit of the man asserted itself again.

He must not be taken. That was his thought. Raising himself on one hand, he lifted the other clasping his pistol, to his temple, and with an expiring effort, pulled the trigger.

* * * * *

The morning sun dissipating the chill of night warmed the head-hunters, surrounding the field of death, into action. The pistol shot in the darkness had been a signal of joy to many of them who suspected the truth.

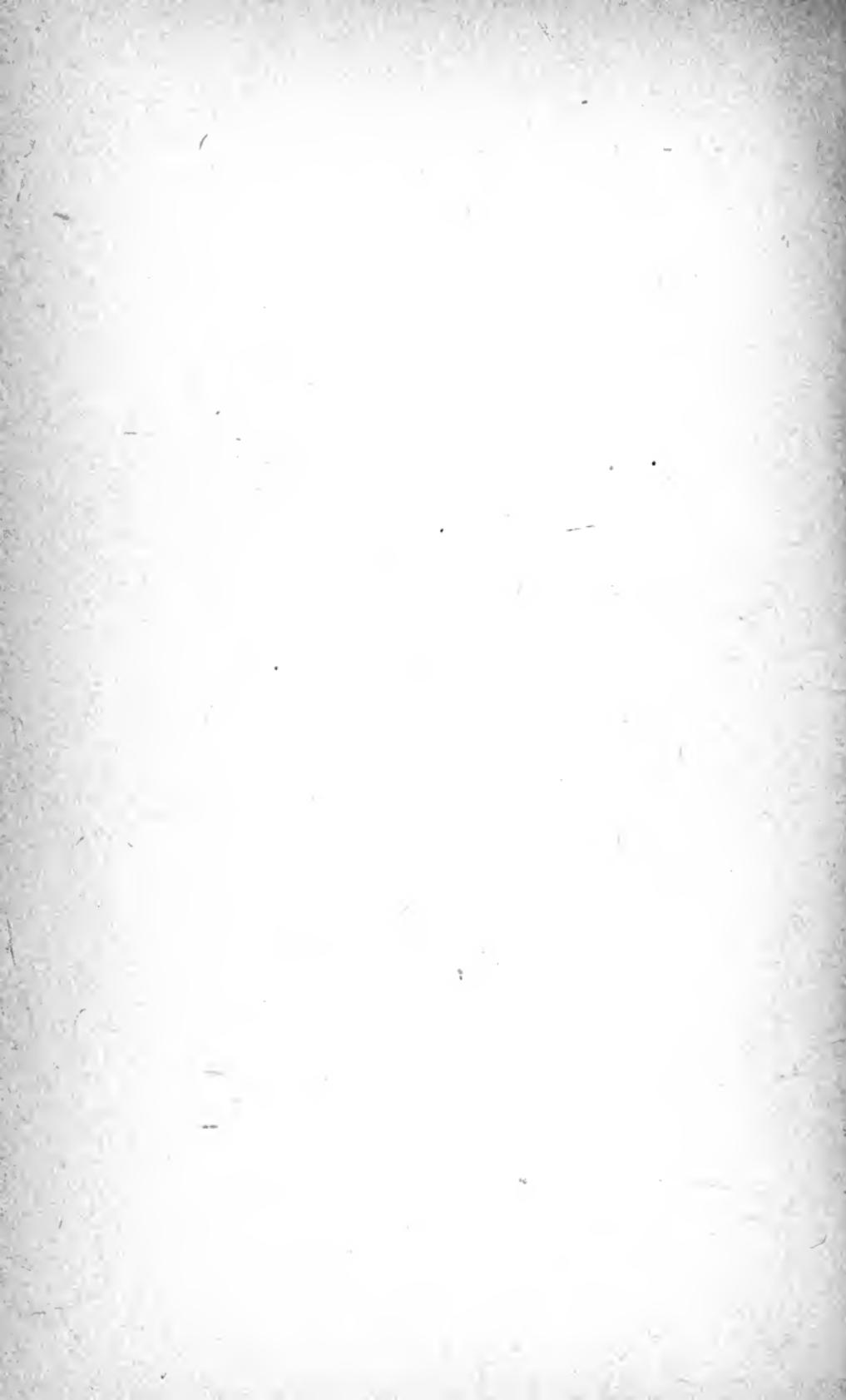
Creeping cautiously with advanced weapons through the grain they met in the middle of the field ready to shoot down their quarry at any sign of movement.

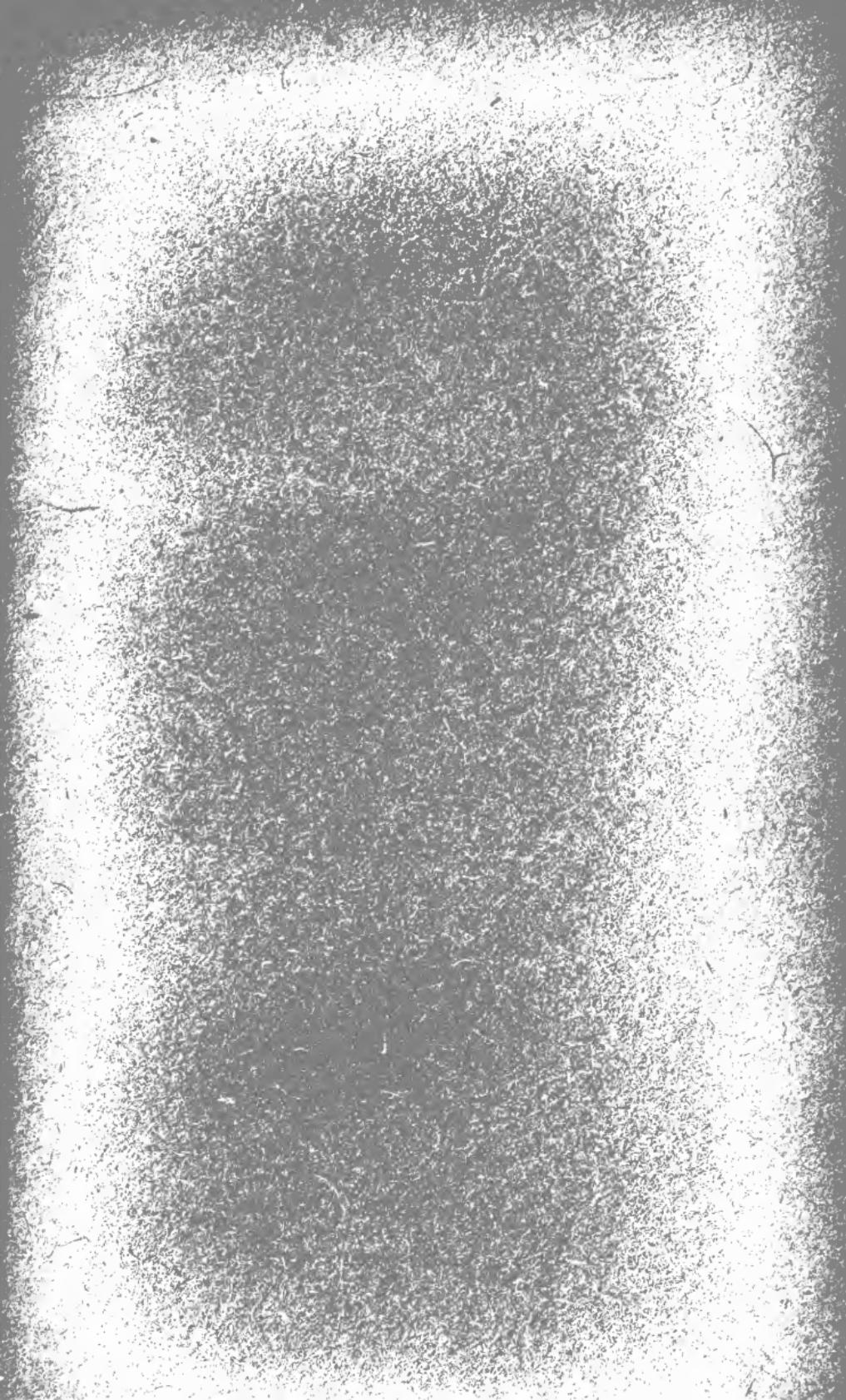
Then they came upon him. Stark upon his back, his unwinking eyes looking into the dome of the heaven that is sometimes pitying, a smile upon his lips, in his right hand the engine of death, lay all that was mortal of HARRY TRACY, the BANDIT.

THE END.















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